

ZB# 04-61

Charles Valois

20-2-30.22

ZBA #04-61 CHARLES VALOIS (AREA)
63 SILVER SPRG RD. (20-2-30.22)

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 9-13-04



Town of New Windsor

**555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695**

OFFICE OF THE ZONING BOARD OF APPEALS

December 16, 2004

Charles Valois
4 Jersey Court
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-61

Dear Mr. Valois:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 20-2-30.22

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

CHARLES VALOIS

AREA

CASE #04-61

WHEREAS, Charles Brown represented Charles Valois , owner(s) of 63 Silver Springs Road, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 99.45 ft. Lot Width; and 58 ft. Frontage (300-10 bulk table R-4 D6, H6) for proposed single family dwelling at 63 Silver Springs Road in an R-4 Zone (20-2-30.22)

WHEREAS, a public hearing was held on September 13, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant, along with Charles Brown, appeared on behalf of this Application; and

WHEREAS, there were three spectators appearing at the public hearing; and

WHEREAS, one spoke in opposition to the Application; and two spectators had questions of the applicant but, were neither opposed nor in favor of; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a vacant lot located in a residential neighborhood on which lot the applicant proposes to erect a single-family house.
 - (b) The lot is served by municipal water and sewer service.

- (c) The house will not create the ponding or collection of water or divert the flow of water drainage.
- (d) Although in constructing the house the applicant will remove some trees or substantial vegetation, the proposed removal will not be of all trees and vegetation and will not have a significant effect on the conditions of the neighborhood.
- (e) The house will not be built on top of, nor will it interfere with, any easements including, but not limited to water, sewer or electric easements.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

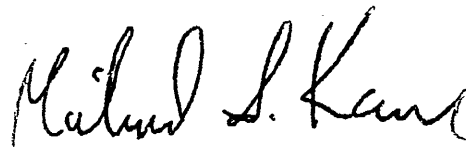
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 99.45 ft. Lot Width; and 58 ft. Frontage (300-10 bulk table R-4 D6, H6) for proposed single family dwelling at 63 Silver Springs Road in an R-4 Zone (20-2-30.22) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: September 13, 2004

A handwritten signature in black ink, appearing to read "Michael S. Kane", is written over a horizontal line.

Chairman

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: July 7, 2004

**APPLICANT: Charles Valois
4 Jersey Court
New Windsor, NY 12553**

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 6/17/04

FOR : One-family house

LOCATED AT: 63 Silver Road

ZONE: R-4 Sec/Blk/ Lot: 20-2-30.22

DESCRIPTION OF EXISTING SITE: Vacant land/ proposed single family residence

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. 300-10 Table of use/bulk regulating R-4 zone column D6 and H6. A variance of the required lot width and street frontage is required.**


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: **R-4** USE: **Proposed single family dwelling** Bulk Tables

MIN LOT AREA:

MIN LOT WIDTH:

125'

25.55'

99.45'

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

70'

12'

58'

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

RECEIVED

JUN 17 2004

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit #: 2004-880

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises

Charles Valois

Address

4 JERSEY CT

Phone #

845-926-7522 (cell)

Mailing Address

4 JERSEY CT New Windsor N.Y.

Fax #

565-0604

Name of Architect

TACONIC Design Consultants

Address

1 Gardnerstown Rd

Phone

569-8400

Name of Contractor

Charles Valois

Address 4 JERSEY CT Phone 926-7522 (cell)

State whether applicant is owner, lessee, agent, architect, engineer or builder owner

If applicant is a corporation, signature of duly authorized officer _____
(Name and title of corporate officer)

1. On what street is property located? On the West side of 900 63 Silver Spring
(N, S, E or W)
and 200-300 ft feet from the intersection of 900 & Silver Spring Rd

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y N

3. Tax Map Description: Section 20-~~44~~ Block 2 Lot 30, 22

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy VACANT LOT b. Intended use and occupancy Single Family

5. Nature of work (check if applicable) ☒ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other

6. Is this a corner lot? NO

7. Dimensions of entire new construction. Front 76' Rear 76 Depth 32 Height 29 No. of stories 2

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms 3+ Baths 2 1/2 Toilets 3 Heating Plant: Gas ☒ Oil _____
Electric/Hot Air _____ Hot Water ☒ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____ **ZONING BOARD**

10. Estimated cost 125-150,000 Fee \$50- **PAID**

"LOU"

OK #4965

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Lisi & Louis Kryshear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4818
(845) 563-4885 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

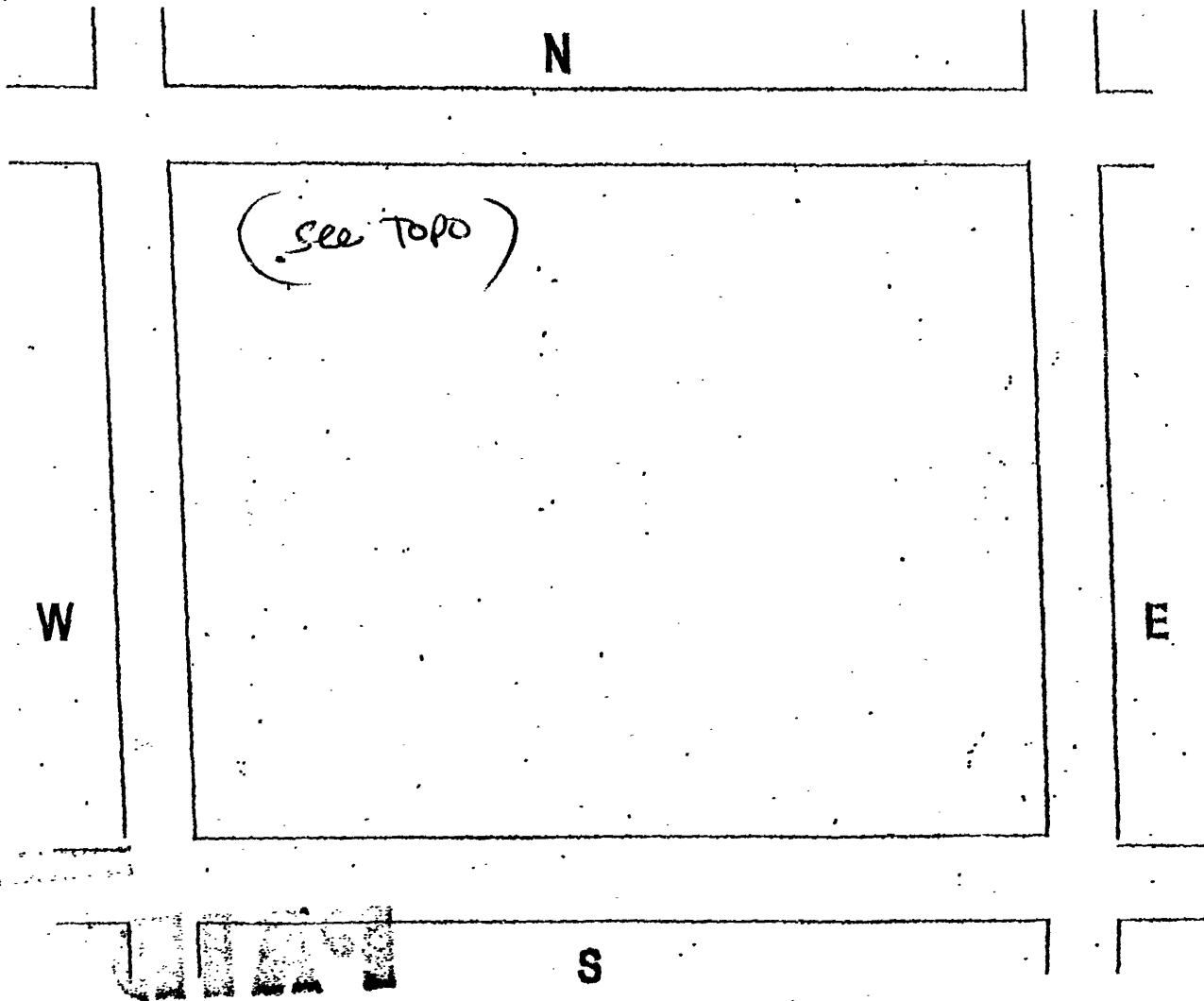
4 JERSEY CT.
(Address of Applicant)

(Owner's Signature)

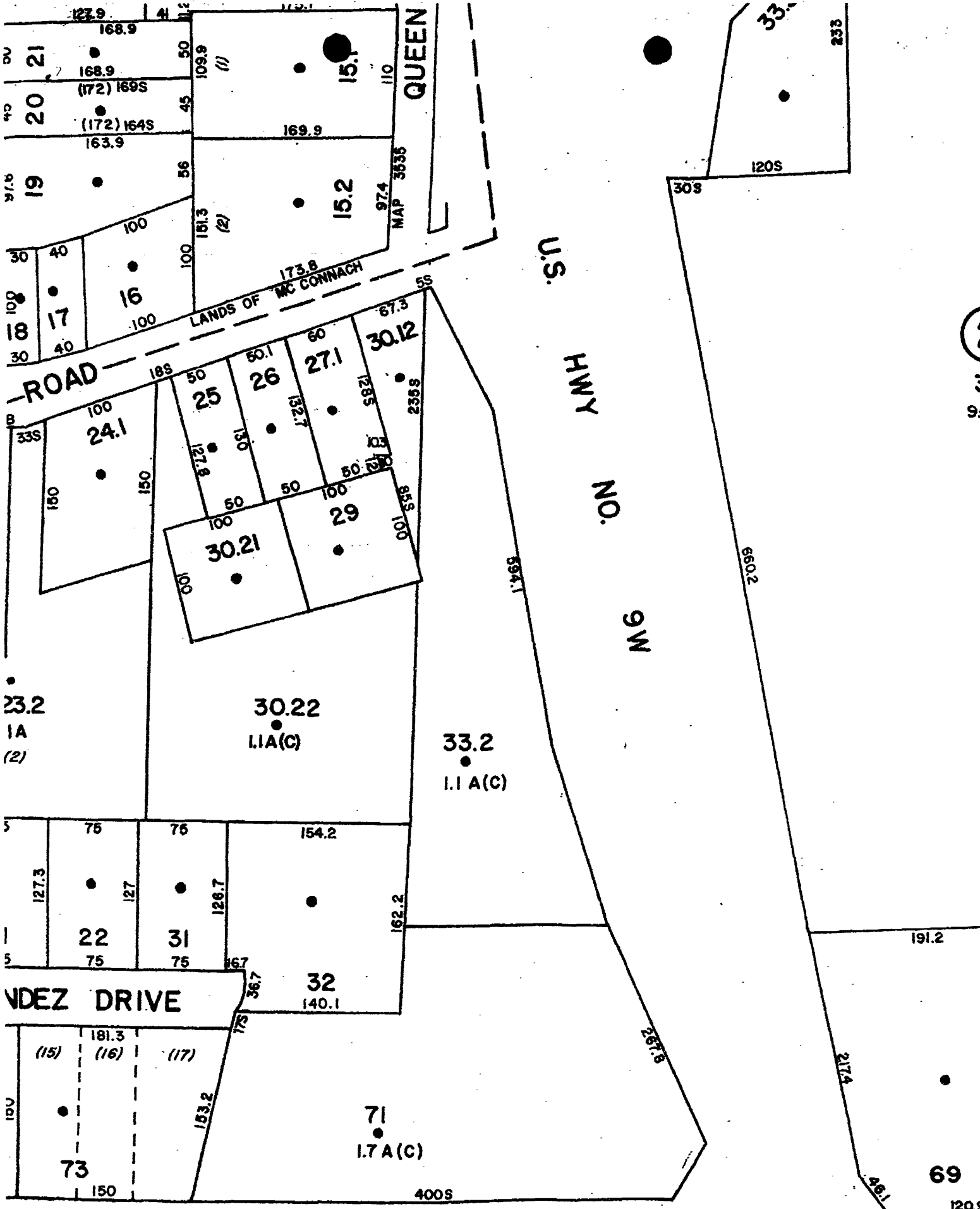
(Owner's Address)

PLOT PLAN

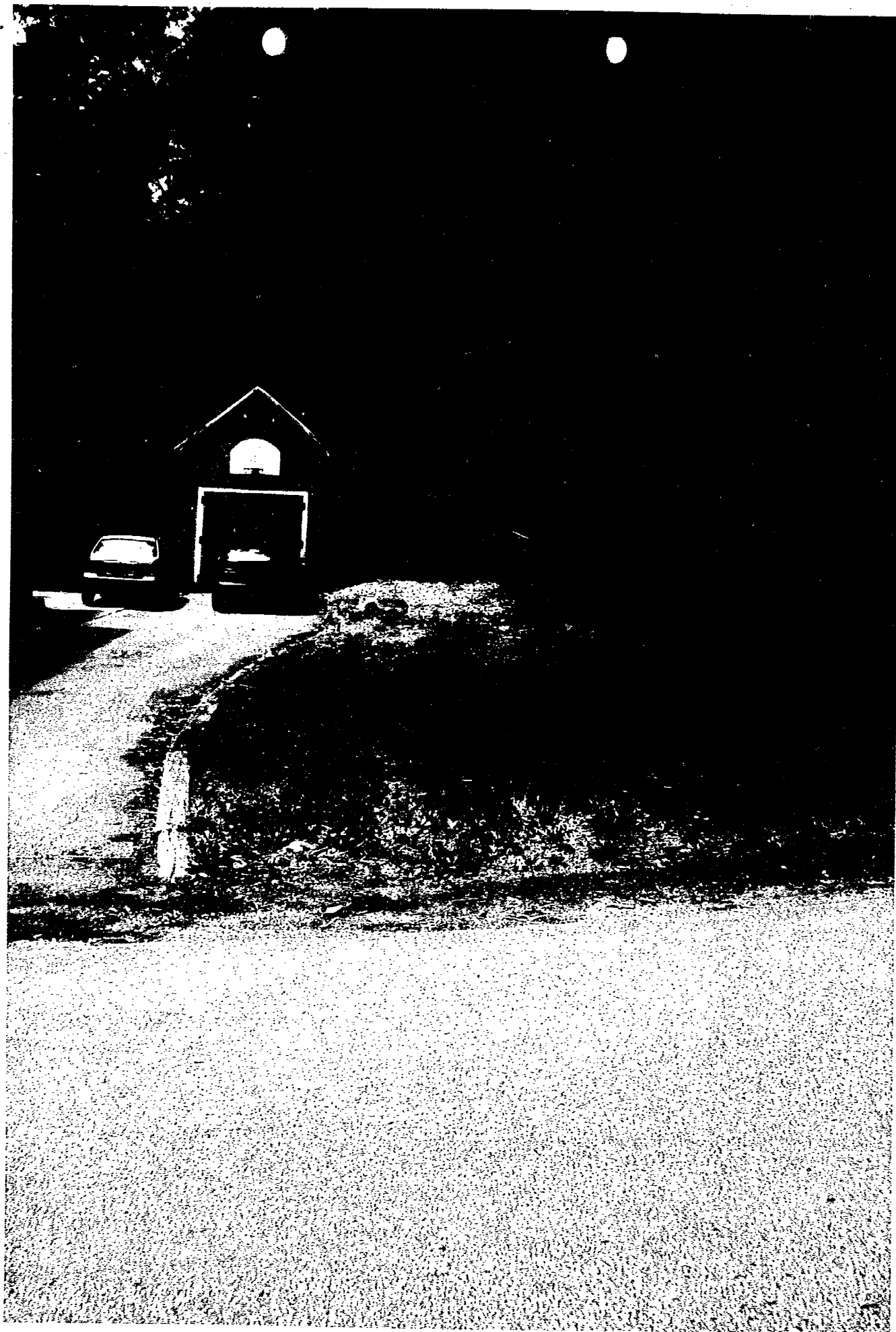
NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

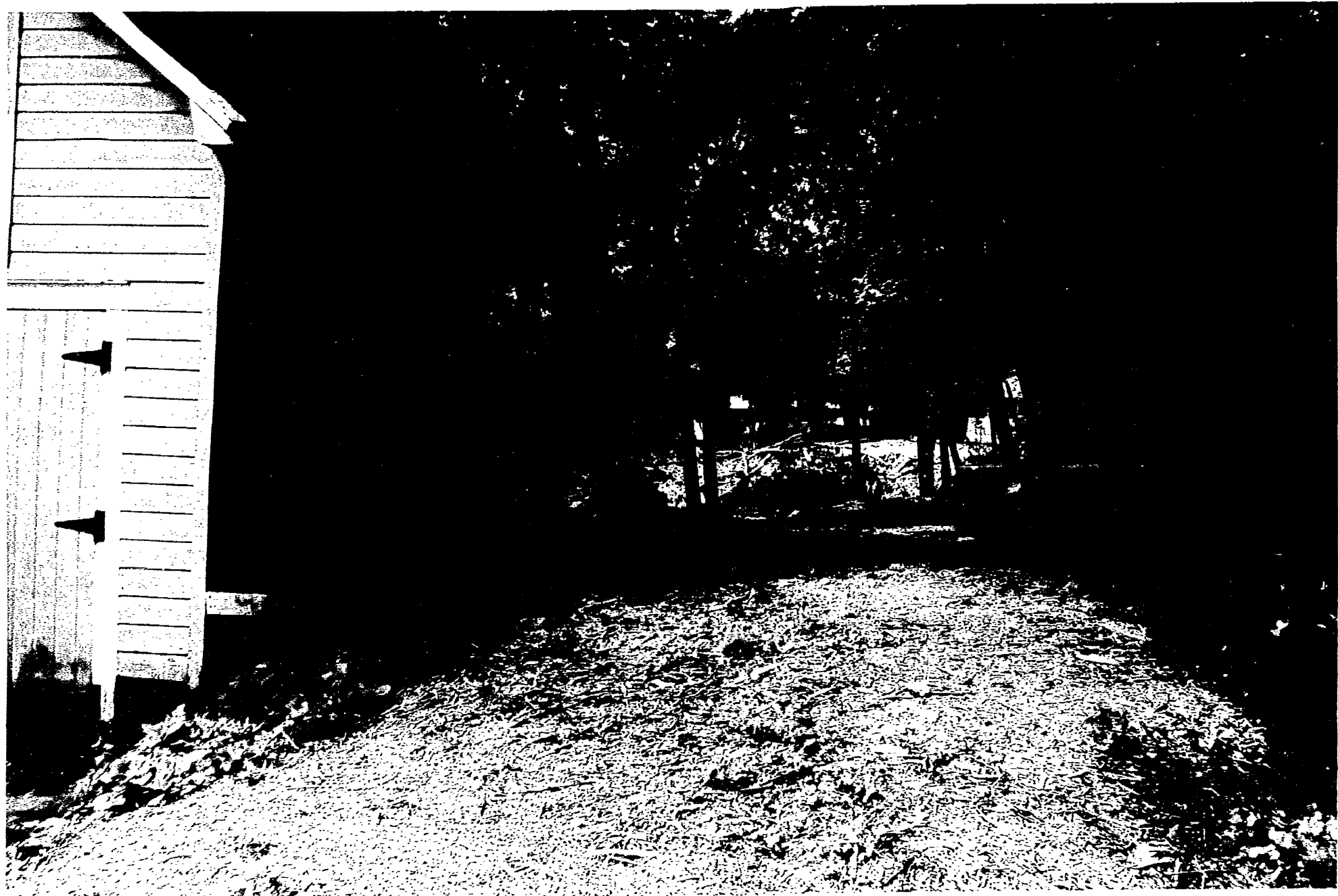


MADE ALL END TO THE PLANS TO BE USED



COUNTY HWY NO. 69









Form 8002 (3/00) - Bargain and Sale Deed, with Covenants against Grantor's Acts - Individual or Corporation. (Single sheet)
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

AA 1173

THIS INDENTURE, made the 11th day of November, 2003 and
BETWEEN

David G. Kelly and Mary Coan Kelly A/K/A Mary Kelly
Residing at: 735 Jacqueline Drive
Valley Cottage, New York 10989

party of the first part, and

Charles Valois
Residing at: 4 Jersey Court, New Windsor, New York 12553

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

See attached "Schedule A" description

Said Premises described herein being and intended to be the same premises conveyed by deed from Mary S.B. Coan, John J. Coan and Mary Coan Kelly, dated 5/22/66 and recorded in the Orange County Clerk's Office on 7/20/66 in Liber 1748 cp 814; and

Said Premises described herein being and intended to be the same premises conveyed by deed from Elizabeth B. Corwin, dated 9/12/83 and recorded in the Orange County Clerk's Office on 11/1/83 in Liber 2267 cp 156.

TOGETHER with all right, title and interest, if any, of the party of the first part, in and to any streets and roads abutting the above-described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

David G. Kelly

Mary Coan Kelly A/K/A Mary Kelly

SCHEDULE "A" - DESCRIPTION

Title No. AA 1173
AMENDED 10/21/03

All that certain plot, piece, or parcel of land situate, lying and being in the Town of New Windsor, County of Orange, and State of New York and being more particularly bounded and described as follows:

TAX LOT 30.21: Beginning at the southwesterly most corner of the lands reputedly of Hein, said point being South 21 degrees 24 minutes 00 seconds West a distance of 123.96 feet from an iron pipe found on the southerly side of Silver Spring Road; thence from said point or place of beginning and along the lands reputedly of said Hein and along the lands reputedly of Coan, South 68 degrees 36 minutes 00 seconds East a distance of 59.92 feet to an iron pipe found; thence continuing along the lands reputedly of said Coan, South 21 degrees 24 minutes 00 seconds West a distance of 100.00 feet; thence the following three courses and distances along TAX LOT 30.22, the lands to be conveyed to Valois, 1) North 68 degrees 36 minutes 00 seconds West a distance of 100.00 feet 2) North 21 degrees 24 minutes 00 seconds East a distance of 100.00 feet; 3) South 68 degrees 36 minutes 00 seconds East a distance of 40.08 feet to the point or place of beginning.

TAX LOT 30.22: Beginning at a point in the pavement of Silver Spring Road, said point being the northwesterly most corner of the lands reputedly of Hein; thence from said point or place of beginning and along the lands reputedly of said Hein and passing over an iron pipe found on line at 23.87 feet, South 21 degrees 24 minutes 00 seconds West a distance of 147.83 feet, being North 68 degrees 36 minutes 00 seconds West a distance of 59.92 feet from an iron pipe found; thence the following three courses and distances along TAX LOT 30.21, the lands to be conveyed to Valois, 1) North 68 degrees 36 minutes 00 seconds West a distance of 40.08 feet; 2) South 21 degrees 24 minutes 00 seconds West a distance of 100.00 feet 3) South 68 degrees 36 minutes 00 seconds East a distance of 100.00 feet; thence along the lands reputedly of Coan, South 68 degrees 36 minutes 00 seconds East a distance of 93.07 feet; thence along the lands reputedly of Ostner, South 37 degrees 54 minutes 00 seconds West a distance of 206.11 feet; thence along the lands reputedly of Grzibowski and along the lands reputedly of Bouton, and passing over an iron pipe found on line 156.81 feet, North 52 degrees 29 minutes 00 seconds West a distance of 222.10 feet; being South 52 degrees 29 minutes 00 seconds East a distance of 10.06 feet from an iron pin found; thence along the lands reputedly of Russo and along the lands reputedly of VanHouten, and passing over iron pipes found on line at 227.40 feet and 375.11 feet, North 38 degrees 00 minutes 00 seconds East a distance of 400.39 feet; thence through the pavement of said Silver Spring Road, South 69 degrees 48 minutes 00 seconds East a distance of 4.54 feet to the point or place of beginning.

S 20

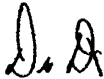
B 2

L 30.21 & 30.22

Acknowledgement taken in New York State

State of New York, County of Rockland Orange, ss:

On the 11 day of November, in the year 2003 before me, the undersigned, personally appeared Mary Coan Kelly and David G. Kelly personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.



DENNIS DAVIS
Notary Public, State of New York
Qualified in Rockland County
Commission Expires April 5, 2007

Acknowledgement by Subscribing Witness taken in New York State

State of New York, County of _____, ss:

On the _____ day of _____, in the year _____, before me, the undersigned, personally appeared _____

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who being by me duly sworn, did depose and say, that he/she/they reside(s) in _____

that he/she/they know(s) _____ to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said _____ execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto.

Title No.: _____

Kelly
TO
Valois

Distributed by
Chicago Title Insurance Company

Acknowledgement taken in New York State

State of New York, County of _____, ss:

On the _____ day of _____, in the year _____, before me, the undersigned, personally appeared _____

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

Acknowledgement taken outside New York State

*State of _____, County of _____, ss:
*(or insert District of Columbia, Territory, Possession or Foreign Country)

On the _____ day of _____, in the year _____, before me, the undersigned, personally appeared _____

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the _____

(add the city or political subdivision and the state or country or other place the acknowledgement was taken).

DISTRICT _____
SECTION 20
BLOCK 2
LOT 30.21 & 30.22
COUNTY OR TOWN Orange

RETURN BY MAIL TO:

Hankin, Hanig, Stall, Caplicki, Redl
& Curtin
Attn: Diane
6 Jeanne Drive, P.O. Box 7229
Newburgh, NY Zip No. 12550

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: OCTOBER 15, 2004
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 120.00 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #04-61

NAME & ADDRESS:

**Charles Valois
4 Jersey Court
New Windsor, NY 12553**

THANK YOU,

MYRA

L.R.10-18-04



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #04-61 TYPE: AREA

APPLICANT Name & Address:

**Charles Valois
4 Jersey Court
New Windsor, NY 12553**

TELEPHONE: 569-0221

RESIDENTIAL:	\$ 50.00	CHECK # <u>4970</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 4971

~~~~~

| <u>DISBURSEMENTS:</u>        |                 | <u>MINUTES</u><br><u>\$5.50 / PAGE</u> | <u>ATTORNEY</u><br><u>FEE</u> |
|------------------------------|-----------------|----------------------------------------|-------------------------------|
| PRELIMINARY:                 | <u>6</u> PAGES  | \$ <u>33.00</u>                        | \$ <u>35.00</u>               |
| 2 <sup>ND</sup> PRELIMINARY: | ___ PAGES       | \$ _____                               | \$ _____                      |
| PUBLIC HEARING:              | <u>14</u> PAGES | \$ <u>77.00</u>                        | \$ <u>35.00</u>               |
| PUBLIC HEARING:              | ___ PAGES       | \$ _____                               | \$ _____                      |

TOTAL:      \$ 110.00      \$ 70.00

~~~~~

ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 180.00

AMOUNT DUE: \$ _____

REFUND DUE: \$ 120.00

Cc:

L.R. 10-18-04



RESULTS OF Z.B.A. MEETING OF: September 13, 2004

PROJECT: Charles Valois ZBA # 04-61
P.B.# _____

USE VARIANCE: _____ NEED: EAF _____ PROXY _____



LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____
REIS _____ CARRIED: Y _____ N _____
MINUTA _____
KANE _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES _____
VARIANCE APPROVED: M) MM S) RS VOTE: A 4 N 0.

~~GANN~~

LOCEY A

~~RIVERA~~

~~MCDONALD~~

REIS A

MINUTA A

KANE A

CARRIED: Y ☒ N _____

No Easements

Charles Valois to work out with neighbor (Mr. Nire)
snow removal.

TOWN OF NEW WINDSOR ZONING BOARD
PUBLIC HEARING FOR:

Charles Valois

DATE: 9-13-04

SIGN-IN SHEET

NAME	ADDRESS
1. MAUREEN HOWARD	53 SILVER SPRING RD
2. Bill - Hein	59 Silver Spring Rd.
3. Dominick Pontzo	69 Silver Spring RD
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	
16.	
17.	
18.	
19.	
20.	

CHARLES VALOIS (04-61)

MR. KANE: Request for 99.45 ft. lot width and 58 ft. frontage for proposed single family dwelling at 63 Silver Springs Road in an R-4 zone.

Mr. Charles Brown and Mr. Charles Valois appeared before the board for this proposal.

MR. KANE: Anybody here for this particular hearing? Okay, we're going to bring a form out, just put your name and address on it for the stenographer so we have it. When the time comes, I will open it up the public portion for you, you'll get to ask you questions and make comments and we'll take it from there. Okay, tell us what you want to do, guys.

MR. BROWN: I'm Charles Brown, I'm the engineer for Mr. Valois. It's an existing lot right now, it's vacant. Proposal is to put a residence on it but due to the geometry of the lot, it doesn't meet the Town regulations for frontage and lot width. So we're requesting those variances so that we can proceed with building the single family residence.

MR. KANE: Town water?

MR. BROWN: Correct, yes.

MR. KANE: Septic?

MR. BROWN: Sewer.

MR. MINUTA: I'm sorry, would you repeat that? This has Town sewer?

MR. BROWN: Yes.

MR. MINUTA: Septic for what reason?

MR. BROWN: No, it's got Town sewer, the sewer main is up in Silver Springs Road, because of the grade of the house we'd have to do a pump station so, you know, we have decided to put in a septic tank so that it's an easier pump.

MR. MINUTA: Thank you.

MR. KANE: In the building of the home, creating any water hazards or substantial runoff?

MR. BROWN: No.

MR. KANE: Will you be cutting down any trees, substantial vegetation?

MR. VALOIS: We have already, we're going to try to leave as many trees up as we can. In the area of the building all the trees have, actually there's a hole and--

MR. KANE: Where the actually home is going to go?

MR. BROWN: Yes.

MR. KANE: Any easements through the property at all?

MR. BROWN: There's none existing right now. Because the lot is so narrow at this point right here, he also owns this, he will be granting an easement to this property through here.

MR. KANE: Understood. This shed over here?

MR. KRIEGER: Is it owned by the neighbor and encroaches on your property or owned by you and encroaches on the neighbor's property?

MR. BROWN: It's owned by the neighbors.

MR. VALOIS: Neighbor's encroaching on mine.

MR. KANE: At this point you don't have a problem with it? Nothing that we should be concerned with?

MR. VALOIS: No.

MR. KANE: Guys have any questions at the moment? Joe, you want to hear from the public?

MR. MINUTA: Let's hear from the public.

MR. KANE: At this point, I will open it up to the public and any questions you have this is a time to ask them or any issues you might have, something you might want to see, just stand up.

MS. HOWARD: My name is Maureen Howard, I live at 53 Silver Springs Road. And I have a question on title to the property.

MR. VALOIS: Question to the title? It's owned by me. As far as title, please clarify?

MS. HOWARD: Do you have clear title to the property?

MR. VALOIS: Yes, I do.

MS. HOWARD: Because I'm claiming that I own a share of it and I have cousins who own a share of it.

MR. VALOIS: I had a title search, that's news to me so I don't know how, that's a curve ball, don't understand, I don't know how to go about this.

MR. MINUTA: Do you have any supporting documentation that you brought with you?

MS. HOWARD: At the present time, I'm having a search done for other property in the same section and I have

had to show my heir shares affidavit and I do have something that says my uncle owned a half of the share and we're the heirs to my uncle.

MR. KANE: Is this, you're currently in the courts, ma'am?

MS. HOWARD: I'm having the title search but--

MR. KANE: But it's not in the courts?

MS. HOWARD: No.

MR. REIS: Michael, which part of this property are you claiming to have a part ownership in?

MR. KRIEGER: That's not the way it works. The question was asked to me by the chairman since the variance runs with the land then this applicant has standing so far as this board is concerned to bring the application. As far as you'll ultimately determining title, that's not the business of this board.

MR. KANE: That's something that we don't decide, ma'am, that's something that you have to pursue in the courts or outside. This gentleman is presenting a clear title to us and that's what we'll go by. You need to, you know, pursue whatever your claims are in another fashion.

MS. HOWARD: In the meantime, can we hold up on him doing anything with that property?

MR. KANE: Yeah, right now, it's not, there's no hold from a judge in a legal court. He has clear title so it seems at this point you have no evidence pointing otherwise at this point and it's not our job to really look at that, that's something that the courts are going to have to decide as far as the title.

MR. KRIEGER: I think the applicant should understand also that the sole application from this board is to grant a variance which would permit them to do it, this is not a building permit, it isn't the business of this board to issue or not issue building permits, it's Certificate of Occupancy, even if the board should grant the application in front of it, that only gets him to square one which absent the variance he would be at anyway. It doesn't give the owner permission to build it on it. So this board has a limited purpose and a limited scope of inquiry. It also I might point out since the variance if it's granted runs with the land, it's immaterial who owns the land, it runs with the land and it makes arguably it would make the land more valuable to whoever owns it, so this board proceeding is not going to in any way prejudice this woman's rights. As a matter of fact, if anything, if the application is granted, it would make them more valuable.

MS. HOWARD: Okay, thank you.

MR. KANE: Anybody else?

MR. PONZO: Dominick Ponzo, 69 Silver Springs Road. Charlie, just wanted to ask you about this hole cause I've seen it already.

MR. VALOIS: Existing hole.

MR. PONZO: What's going on with that cause what I understood water runs down from other streets into that and goes out to a drain into the Hudson.

MR. VALOIS: Well, maybe you can field this cause you--

MR. PONZO: Cause a lot of people have a question. I don't care about the building, per se.

MR. REIS: Can you kind of tilt this this way so we can

see what's going on here?

MR. KANE: We can bring that back after the public takes a look at it.

MR. VALOIS: Do you want a smaller version?

MR. REIS: We've got that.

MR. PONZO: Cause that's a lot of water. I don't care about the building, that's nothing, not a concern, just that water is, you know, it gets very marshy, it gets very, the water table comes up pretty good in there when it rains, it's always been that way.

MR. BROWN: The building is set up so the garage is at the higher elevation and then the residence it's not all the way down in the hole, in other words, the hole's down here, these are the contours, we do the topo in here so the basement would actually take up the hole and we're going to grade up the front yard so the water would be graded around and from there it would go the way it's going already.

MR. PONZO: Right into the drain?

MR. BROWN: Yes.

MR. PONZO: This is a lot of fill you have to put in there, it's a deep hole.

MR. BROWN: It's really not too bad because of again, you know, the way we stepped the building, the garage is on the high part then the house is a little bit lower then it has a basement so then it would be a walkout.

MR. PONZO: Basement won't go near the water table so to speak?

MR. BROWN: No.

MR. VALOIS: This is where the drainage is.

MR. PONZO: Going towards 9W?

MR. VALOIS: It's pretty far away from the actual--

MR. PONZO: More on the top ground part?

MR. BROWN: Right, the outside should come into the sloped part so very little, actually the lower part is flat.

MR. PONZO: So it won't affect the basement?

MR. BROWN: Yes.

MR. KANE: Any other questions?

MS. HOWARD: Where is the 58 foot frontage?

MR. VALOIS: Should I show her this?

MR. KANE: Sure.

MR. PONZO: Is there, like is there going to be anything looking at this about the water before they build?

MR. KANE: No.

MR. PONZO: Nothing to do with it?

MR. KANE: No.

MR. BROWN: The way the 58 foot is the requested variance, in other words, the requirement is 70 and he has 12, so the variance requested is the 58 feet that's what the notice is, same thing with the width, in other

words, the width requirement is 125 and so the way it's defined in the codes that would be the front yard setback which is still in the narrow part there and there he only has 22 1/2.

MR. BABCOCK: 25.55.

MR. BROWN: So again the numbers on here, that's the variance, the requested variances.

MR. KANE: Any other questions?

MS. HEIN: Dale Hein, I live at 59 Silver Springs Road. I don't understand the business about all the water that was the new thing before we came here but I just want clarified in my mind where what Dominick is concerned about with the water if his concerns were valid that would only affect the house that Charles is going to build? Right, or no? I didn't understand all that, I mean, I just want to be sure that if this water business is a problem and it's only gonna affect Charles' house and he knows it and he doesn't care and it's not going to affect us, that's fine. But I don't understand what water runoff and I don't understand all that and I was afraid somebody else wasn't going to ask this question.

MR. VALOIS: Well, it's a natural downslope so any like rain water it works its way to the creek down there so that's where it's going to go and basically once we put the house obviously we're going to have it graded so it works its way around the house, any surface water, any water underneath that travels underneath would be channeled through conventional footing drains.

MS. HEIN: But the water where the water runs off now that would be, that would be on the other side of your house, not on our side?

MR. VALOIS: No, it would never even be diverted, no,

it would follow the same path, basically, it's not gonna come up towards your house, there's no way it can go uphill, actually a berm there too that we're going to leave with the trees so that's actually going to protect any water coming down from the hill. So there's no way you would be affected.

MS. HEIN: And the other thing again because just listening to what you're talking about the other gentleman said what, the 58 feet is the variance, actually there's 12 feet there now and you need 70 whatever and so the 58 is the variance, is that right?

MR. KANE: That's correct.

MS. HEIN: You're not talking about the 12 feet that's right on Silver Springs Road, are you?

MR. BABCOCK: Yes.

MR. KANE: That's the entrance to the property, it's the only entrance to the property.

MS. HEIN: So when you say you're looking for a variance of 58 feet, where does that 58 feet come from?

MR. KANE: It doesn't come from anywhere, it means that he doesn't need that, we're giving him.

MR. KRIEGER: He's 58 feet short.

MR. KANE: He's short and he can't make it up.

MS. HEIN: Okay.

MR. KRIEGER: Mike, what's the frontage requirement in that zone?

MR. BABCOCK: Seventy feet.

MR. KRIEGER: So he has 12?

MR. BABCOCK: Right.

MR. KRIEGER: And he needs 58.

MR. HEIN: I live on 59 Silver Springs Road, Bill Hein. The other issue Charles is right now when we get rid of our snow, it's going on where you're putting the driveway so I'm curious where I'm going to be able to put that snow when we get a heavy snow.

MR. VALOIS: Well, I would think that's, we're going to probably eliminate any, we were thinking about butting up the driveways together, then it would be logical that the berm to the right of it that property if I owned the property, I can't speak for the new owners, it would be no problem to push the snow to the right of the berm, it shouldn't hurt anything, just two trees.

MS. HEIN: Not that much space between the driveway beside mine and the guy next door.

MR. VALOIS: I'm offering you some more property in the back so you can push it back, that's something that I can't do but if we butt them up, it's either going to have to push it back into your back lawn or take it out the other way.

MR. HEIN: I can't put it in the street.

MR. VALOIS: If I own the property, it would be no big deal so but that might be an inconvenience if you have a neighbor that doesn't just agree with that.

MS. HEIN: That could be a problem because some neighbors aren't very nice.

MR. VALOIS: Write something into the deed because you would have the permission to put the snow, push it to

that bermed area, if that answers your question, I don't see any problem, it's just logical.

MR. HEIN: Something to do there cause I don't want to, I want to get--

MR. KANE: But technically are you taking that snow from your driveway and pushing it on somebody else's property?

MR. BABCOCK: Yes.

MR. HEIN: I've been taking care of that strip of property for 24 years.

MR. KANE: Doesn't matter. Legally, it matters not. I'm just saying that technically people can stop you from doing that so it sounds like there might be something that you can work out as far as with the neighbor.

MR. VALOIS: So you would have it legally where you could push the snow continually push it to the right.

MR. HEIN: Right.

MR. KANE: Work that out.

MR. VALOIS: Yeah, I don't see it as valid because he doesn't have any room.

MR. KANE: Doesn't seem to be a lot of room for anything on the street, you know, and I'd still like to find the guys who drew out all these properties, I mean, this property if you haven't seen it is very thin right here, there's 12 feet width and it goes up and opens up a ton in the back. So if it wasn't for the road frontage, he wouldn't be here at all.

MR. PONZO: Can I request a copy of the plans or no?

MR. BABCOCK: To take home or look at right now?

MR. PONZO: To take home.

MR. VALOIS: I can make a copy for you, a plan of the actual house.

MR. PONZO: What you have in your hand.

MR. VALOIS: Yeah, we'll get it for you.

MS. HOWARD: Is there a recent tax map that shows that 12 feet?

MR. KANE: Yes.

MS. HEIN: I have a copy of it home.

MR. BROWN: Tax map shows 18. We had this property surveyed and at the right-of-way for the street it's 12.

MR. BABCOCK: Mr. Chairman, if you look at the tax map where it says 18, it's got an S next to it, that means it was scaled so they didn't know exactly what the measurement was and what Mr. Brown is saying is that the survey was done by a licensed surveyor, Howard Weeden, and he's saying that he's not scaling it and it's 12 feet.

MR. KANE: But on the tax map that's the opening right there.

MS. HOWARD: Okay, thank you.

MR. KANE: Any other questions? At this point, we'll close the meeting to the public, bring it back to the board.

MR. MINUTA: Just a question with the drainage, you're not causing any extra drainage onto another property?

MR. BROWN: No.

MR. MINUTA: By the modifications to the topo?

MR. VALOIS: Really can't, it's going all downhill.

MR. BROWN: It goes downhill to a creek.

MR. MINUTA: Thank you.

MR. KANE: Nothing that we have to write in Charlie but you'll take care of that snow situation?

MR. VALOIS: Yeah, I'll work that out.

MR. REIS: The contiguous property 33.2, is there a dwelling on this property?

MR. VALOIS: No, that's neighborhood commercial, that's a vacant lot.

MR. REIS: So when your water drains, natural progress of the water going down hill?

MR. VALOIS: It hits a creek, there's a creek in between those two lots and it takes it right there.

MR. REIS: Thank you.

MR. KANE: Any other questions?

MR. MINUTA: No.

MR. REIS: No.

MR. MINUTA: Accept a motion?

MR. KANE: Yes, I will.

MR. MINUTA: I make a motion that we grant Charles Valois his requested 99.45 foot lot width and a 58 foot frontage for the proposed single family dwelling at 63 Silver Springs Road in an R-4 zone.

MR. REIS: Second it.

ROLL CALL

MR. MINUTA	AYE
MR. REIS	AYE
MS. LOCEY	AYE
MR. KANE	AYE

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

CHARLES VALOIS

AFFIDAVIT OF
SERVICE
BY MAIL

#04-61

-----X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 24TH day of AUGUST, 2004, I compared the 60 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

7th day of September, 2004

Cheryl L. Canfield
Notary Public

CHERYL L. CANFIELD
Notary Public, State of New York
Qualified in Orange County
#01CA6073319
Commission Expires April 22, 2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

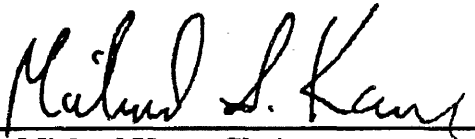
Appeal No. 04-61

Request of CHARLES VALOIS

for a VARIANCE of the Zoning Local Law to Permit:

Request for 99.45 ft. Lot Width; and 58 ft. Frontage (300-10 bulk table R-4 D6, H6) for proposed single family dwelling at 63 Silver Springs Road in an R-4 Zone (20-2-30.22)

**PUBLIC HEARING will take place on SEPTEMBER 13, 2004
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.**



Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

August 12, 2004

Charles Valois
c/o Taconic Design
1 Gardnertown Road
Newburgh, NY 12550

Re: 20-2-30.22 ZBA#: 04-61

Dear Mr. Valois:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$75.00, minus your deposit of \$25.00.

Please remit the balance of \$50.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board

20-1-1 City of Newburgh School District ATT: E. Phillips 124 Grand Street Newburgh, NY 12550	20-1-13 Duane & Patricia Damanda 11 Queen Street New Windsor, NY 12553	20-1-14 Helen Mihalco 7 Queen Street New Windsor, NY 12553
20-1-15.1 Stephen Grieco 5 Queen Street New Windsor, NY 12553	20-1-15.2 Adam Mejias Linda Lugo-Mejias 3 Queen Street New Windsor, NY 12553	20-1-16 Barbara Coan 58 Silver Spring Road New Windsor, NY 12553
20-1-17 Frances Stasio Michael Petrocelli 62 Silver Spring Road New Windsor, NY 12553	20-1-18 Iraj & Linda Atrchi 64 Silver Spring Road New Windsor, NY 12553	20-1-19 Anne Harris 1 Riverview Avenue New Windsor, NY 12553
20-1-20 William & Julia Crandall 3 Riverview Avenue New Windsor, NY 12553	20-1-21 Patrick & Darcy Kennedy 5 Riverview Avenue New Windsor, NY 12553	20-1-22.22 William & Jennifer Donaldson 7 Riverview Avenue New Windsor, NY 12553
20-1-23 Colleen Morris Neva Jamieson 9 Riverview Avenue New Windsor, NY 12553	20-1-24 Leonard Rossi Mary McCarvel 12 Riverview Avenue New Windsor, NY 12553	20-1-25 James & Edna Mae Rourk 10 Riverview Avenue New Windsor, NY 12553
20-1-26 Denis & Holly Parrington 8 Riverview Avenue New Windsor, NY 12553	20-1-27 Jeffrey & Terry Rose 6 Riverview Avenue New Windsor, NY 12553	20-1-28 Robert & Suzanne Barr 10 Savannah Lane Newburgh, NY 12550
20-1-29 Lisa Calapa 2 Riverview Avenue New Windsor, NY 12553	20-1-30 Wade & Debra Cornman 66 Silver Spring Road New Windsor, NY 12553	20-1-31 George & Gladys Tibby 68 Silver Spring Road New Windsor, NY 12553
20-1-32 William & Gladys Lawlor 1845 N. Banana River Drive Merritt Island, FL 32952	20-1-33 Roland Verdier 72 Silver Spring Road New Windsor, NY 12553	20-1-34 Rodney & June Miller 74 Silver Spring Road New Windsor, NY 12553
20-2-15 Raffaella Trent P.O. Box 4736 New Windsor, NY 12553	20-2-16 William & Kathleen Spellman 20 Fernandez Drive New Windsor, NY 12553	20-2-17.1 & 20-2-17.23 Michael Petrocelli 73 Silver Spring Road New Windsor, NY 12553
20-2-17.211 Margaret & Tristan Welling 81 Silver Spring Road New Windsor, NY 12553	20-2-17.212 Charles Sandike 77 Silver Spring Road New Windsor, NY 12553	20-2-17.22 James & Phyllis Creagan 18 Fernandez Drive New Windsor, NY 12553

20-2-18
Mickey J & Donna T Yannone
16 Fernandez Avenue
New Windsor, NY 12553

20-2-21
Milton & Patricia Dietz
8 Fernandez Drive
New Windsor, NY 12553

20-2-23.2
Carol & Samuel Russo, Jr.
67 Silver Spring Road
New Windsor, NY 12553

20-2-26
Maureen Howard
53 Silver Spring Road
New Windsor, NY 12553

20-2-30.12
Mary Kelly
735 Jacqueline Drive
Valley Cottage, NY 10989

20-2-33.2 & 20-2-33.31
Richard A Ostner
82 Bethlehem Road
New Windsor, NY 12553

20-2-73
Robert & Patricia Chisholm
44 Union Avenue
New Windsor, NY 12553

20-2-79
Robert Bamberger
Mary Ann Watson-Bamberger
60 Union Avenue
New Windsor, NY 12553

23-1-6.1
Jennifer Guiffre
51 Union Avenue
New Windsor, NY 12553

23-1-11
Barbara Joslyn
35 Union Avenue
New Windsor, NY 12553

20-2-19
Leonard & Cynthia Harris
12 Fernandez Drive
New Windsor, NY 12553

20-2-22
Maurice & Margaret O'Connor
6 Fernandez Drive
New Windsor, NY 12553

20-2-24.1
George & Charlene VanHouton
65 Silver Spring Road
New Windsor, NY 12553

20-2-27.1
Christine LoBello-Bamberg
55 Silver Spring Road
New Windsor, NY 12553

20-2-31
Marion Joan Bouton
4 Fernandez Drive
New Windsor, NY 12553

20-2-69
GGA Condominium, Inc.
3078 NYS Route 9W
New Windsor, NY 12553

20-2-75
Renee & Kenneth Hirsch
48 Union Avenue
New Windsor, NY 12553

20-2-81
Rosa Perez Salgado
17 Fernandez Drive
New Windsor, NY 12553

23-1-8
Corporate Developers, Inc.
400 County Avenue
Secaucus, NJ 07094

23-1-13
Church of St. Joseph
4 St. Joseph's Place
New Windsor, NY 12553

20-2-20
Joseph & Grace DeGregoria
10 Fernandez Drive
New Windsor, NY 12553

20-2-23.1
Dominick Ponzo
69 Silver Spring Road
New Windsor, NY 12553

20-2-25
William & Dale Hein
59 Silver Spring Road
New Windsor, NY 12553

20-2-29
Maureen Coan
53 Silver Spring Road
New Windsor, NY 12553

20-2-32
Maureen Grzibowski
2 Fernandez Drive
New Windsor, NY 12553

20-2-71
Georgina Ahl
c/o Robert Weyant
26 Union Avenue
New Windsor, NY 12553

20-2-78
William & Francis Dobson
56 Union Avenue
New Windsor, NY 12553

20-2-94
Brian & Suzanne Bove
79 Silver Spring Road
New Windsor, NY 12553

23-1-10
Ulf & Charlotte Ostman
39 Union Avenue
New Windsor, NY 12553

23-4-1
St. Joseph Church
29 Union Avenue
New Windsor, NY 12553



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

August 16, 2004

Charles Valois
4 Jersey Court
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-61

Dear Mr. Valois:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

63 Silver Spring Road
New Windsor, NY

is scheduled for the September 13, 2004 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

Cc: Taconic Design

CHARLES VALOIS (04-61)

Mr. Charles Brown and Mr. Charles Valois appeared before the board for this proposal.

MR. KANE: Request for 99.45 ft. lot width and 58 ft. frontage for proposed single family dwelling at 63 Silver Springs Road in an R-4 zone. Tell us what you want to do.

MR. BROWN: I'm Charles Brown, design engineer for Mr. Vilois. This is an existing residential lot vacant that does not meet the frontage and lot width requirements based upon the code, it's in the R-4, 5 zone and does have access to water and sewer on Springs Road. Because of the definition of lot width, it's at the front yard setback which is way up here, that's where that measurement is and lot actually goes into here, we would be over this portion into New Windsor so that we have 12 foot at the frontage that over there is 25 feet off the center line.

MR. KANE: That's going to be the drive to the home in the rear?

MR. BROWN: Correct.

MR. KANE: Is that going to be a paved driveway?

MR. VALOIS: Yes.

MR. KANE: And you don't need any, the house itself on the lot back there is not going to require any variance?

MR. VALOIS: That's correct.

MR. BROWN: We meet all the setbacks.

MR. KANE: You're stuck under the new rules. This is

going to have sewer and water?

MR. BROWN: That's correct, based upon the terrain of the lot, we have to pump the sewer up to a manhole which is shown right here and that would be gravity feed.

MR. KANE: Forced sewer line?

MR. BROWN: Right, this would be a manhole installed on the property and it's maintained by the owner and that will be gravity feed into the town line.

MR. KANE: Going to be cutting down any trees or substantial vegetation in the building of this home?

MR. BROWN: Some trees.

MR. VALOIS: Yeah, we already started taking some of them down.

MR. KANE: Nothing substantial?

MR. VALOIS: We left as many as we could along the borders, the middle was basically a hole to begin with so there's just poplars and stuff, we already put a screening up, silk screen.

MR. KANE: Will you be creating any water hazards or runoffs with the building of this?

MR. VALOIS: I don't believe so.

MR. BROWN: No, we're not, there's a creek down the bottom, it drains down to the creek in the bottom so from there it goes all the way down to the river.

MR. KANE: Joe, Mike, do you have any questions?

MR. REIS: Is the adjacent shed, is that the neighbor's

or on this property?

MR. VALOIS: That's the neighbor, he crosses the border but I'm not going to raise a stink with it, I think he's a couple feet over.

MR. BABCOCK: Mr. Chairman, the lot 20.2.30.21, the small lot that's owned by you also?

MR. VALOIS: Yes, it is.

MR. BROWN: That allows us to do a cross easement which is also shown on there so that we can do that driveway through that little corner of the lot.

MR. BABCOCK: What's this lot going to be used for though?

MR. VALOIS: Well, I was going to do three things, I was going to either approach the two property owners, they have small back yards and offer a portion of that cause we're going to take some of it away or I'm going to offer it as more land with the existing house being built but I think I would give the opportunity for the neighbors cause the one house has a very shallow back yard.

MR. KANE: Mike?

MR. BABCOCK: I mean, I was wondering if he was saying he wanted to build another house on that, that was one of the questions I was going to have.

MR. VALOIS: No.

MR. BABCOCK: If he does that, he's got easements between the two lots for the driveway and the sewer lines and all that stuff, if he does a lot line change probably, I mean, if you do wind up doing a lot line change with the neighbors or whatever probably a piece

of this should be given to that property no matter what so--

MR. BROWN: The easement will be dissolved and a portion of this would be deeded to that right.

MR. KANE: Would that leave that other lot a buildable size lot?

MR. BABCOCK: This lot in my opinion is not buildable cause there's no access at all to it.

MR. KANE: 30.21.

MR. BROWN: It's landlocked, it's very small.

MR. VALOIS: It's making basically this lot workable, it's kind of lot forfeiting that small lot, like I said, I think there will be a couple options I can do with it, either it goes with the new property or I'm going to give the neighbors an opportunity to buy a portion of it.

MR. KANE: In either case, that wouldn't have an affect on their need for the frontage variance?

MR. BABCOCK: No, that's correct.

MR. KANE: Joe, questions?

MR. MINUTA: I'm just trying to discern this so I understand correctly, this piece here is being proposed as an easement for the drive, this piece here?

MR. BROWN: Right, in other words, this is part of this parcel but because the driveway has to clip this corner, we put in an easement between both lots. In the event that he makes a deal with the adjoining property owner we'll do a lot line, we'll most likely bring this straight back then the easement would no

longer be required.

MR. MINUTA: Okay, great, thank you.

MR. RIVERA: Can you point that out to us, please?

MR. BROWN: Sure.

MR. KANE: This garage here is that right there?

MR. VALOIS: Right, I do have a question, do you see that driveway, can I point it out, that picture, I was talking to this neighboring here and there's a couple trees here we want to kind of save, so they want to actually join, take this out this divide and have the driveway actually make one driveway and this way we can save these trees here.

MR. KANE: Makes sense and you save those nice trees.

MR. MINUTA: We also need to consider anything over 18 inches, that's part of the zoning code as well.

MR. BABCOCK: They would have to receive approval from the highway department for that to share a driveway. The shared driveways are not the normal approval process just because you want them, I mean, there could be a reason and you'd have to talk to him.

MR. VALOIS: I don't know if it would be shared just butt up to each other.

MR. BABCOCK: That's an issue for the highway superintendent also when you plow your snow, you put it on his driveway and when he plows he puts it on your driveway.

MR. VALOIS: Not to complicate it after we get approvals we can go through--

August 9, 2004

10

MR. BABCOCK: You can get this approval and before you get a building permit you'd have to get a highway permit and you can talk to him.

MR. KANE: Looks like a safer setup with them shared like that. So any other questions, guys?

MR. REIS: Accept a motion?

MR. KANE: Yes, sir.

MR. REIS: Make a motion that we set up Mr. Charles Valois for his requested variances at 63 Silver Springs Road.

MR. MINUTA: Second it.

ROLL CALL

MS. LOCEY	AYE
MR. RIVERA	AYE
MR. REIS	AYE
MR. MINUTA	AYE
MR. KANE	AYE

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 08-04-04

FOR: ESCROW 04-61

FROM: POLAR BEAR LANDSCAPING & DESIGN, INC.

4 JERSEY CT.

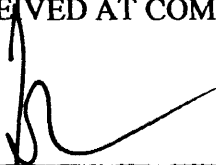
NEW WINDSOR, NY 12553

CHECK NUMBER: 4971

TELEPHONE: 569-0221

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME


DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 08-04-04

FOR: ESCROW 04-61

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4 JERSEY CT.

NEW WINDSOR, NY 12553

CHECK NUMBER: 4971

TELEPHONE: 569-0221

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

L. Reis 10/1 8/9/04
NAME DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



RESULTS OF Z.B.A. MEETING OF: August 9, 2004

PROJECT: Charles Valois ZBA # 04-61

ZBA # 04-61

P.B.# _____

USE VARIANCE: NEED: EAF PROXY

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____ CARRIED: Y_____N_____
REIS _____
MINUTA _____
KANE _____

PUBLIC HEARING: M)_____ **S)**_____ **VOTE: A**____ **N**_____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____ CARRIED: Y____N____
REIS _____
MINUTA _____
KANE _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A N

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____ CARRIED: Y_____ N_____
REIS _____
MINUTA _____
KANE _____

APPROVED: M)_____S)_____ VOTE: A_____N_____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) RS S) MN VOTE: A___ N___

LOCEY	A
RIVERA	A
MCDONALD	
REIS	A
MINUTA	A
KANE	A

CARRIED: Y_____ N_____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED: M) S) VOTE: A N .

GANN _____
LOCEY _____
RIVERA _____
MC DONALD _____
REIS _____
MINUTA _____
KANE _____

CARRIED: Y N .

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is a double-line border at the top and bottom edges. The paper appears to be from a notebook or a set of legal pads.

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#815-2004

08/09/2004

ZBA 04-61 application fee
Polar Bear Landscaping

Received \$ 50.00 for Zoning Board Fees, on 08/09/2004. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

TOWN OF NEW WINDSOR
REQUEST FOR NOTIFICATION LIST

DATE: 08-04-04 PROJECT NUMBER: ZBA# 04-61 P.B. # _____

APPLICANT NAME: CHARLES VALOIS

PERSON TO NOTIFY TO PICK UP LIST:

TACONIC DESIGN
1 GARDNERTOWN ROAD
NEWBURGH, NY 12550

TELEPHONE: 569-8400 (SUE)

TAX MAP NUMBER: SEC. 20 BLOCK 2 LOT 30.22
SEC. _____ BLOCK _____ LOT _____
SEC. _____ BLOCK _____ LOT _____

PROPERTY LOCATION: **63 SILVER SPRING ROAD**
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖

NEW WINDSOR ZONING BOARD **XXX**

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT **XXX**

❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 4972

TOTAL CHARGES: _____



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

August 5, 2004

Charles Valois
4 Jersey Court
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-61

Dear Mr. Valois:

This letter is to inform you that you have been placed on the August 9, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

63 Silver Springs Road
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

Cc: Taconic Design



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

6/22/2004 Application Type: Use Variance ☐ Area Variance ☒
Date Sign Variance ☐ Interpretation ☐

Call 926-7522

I. **Owner Information:** Phone Number: (845) 569-0221
Charles YALOIS Fax Number: (845) 565-0604
(Name)
4 JERSEY CT NEW Windsor N.Y 12553
(Address)

II. **Purchaser or Lessee:** Phone Number: ()

Fax Number: ()
(Name)

(Address)

III. **Attorney:** Phone Number: ⁸⁴⁵~~(845)~~ 569-8900
Brian G Fax Number: ()
(Name)

(Address)

IV. **Contractor/Engineer/Architect/Surveyor/:** Phone Number ⁸⁴⁵~~(845)~~ 569-8900
Charles T. Brown PE Fax Number: ⁸⁴⁵~~(845)~~ 569-4583
(Name)
1 Gardner town Rd Newburgh N.Y, 12550
(Address)

V. **Property Information:**
Zone: R-4 Property Address in Question: Silver Springs Rd
Lot Size: 1.1 AC Tax Map Number: Section 20 Block 2 Lot 32.22
a. What other zones lie within 500 feet? N/C
b. Is pending sale or lease subject to ZBA approval of this Application? No
c. When was property purchased by present owner? Sept-Oct 2003
d. Has property been subdivided previously? No If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? No
f. Is there any outside storage at the property now or is any proposed? No

****PLEASE NOTE:*****

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE
OF SUBMITTAL.**

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area	43,560 SF	44,660 SF	—
Min. Lot Width	125'	25.55'	99.45'
Reqd. Front Yd.	45'	46'	—
Reqd. Side Yd.	20'	57'	—
Reqd. Rear Yd.	50'	51'	—
Reqd. St Front*	70'	12'	58'
Max. Bldg. Hgt.	35'	29'	—
Min. Floor Area*	1,200 SF	2,629 SF	—
Dev. Coverage*	20%	12%	—
Floor Area Ration**	—	—	—
Parking Area	2	2	—

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

LOT 15 EXISTING AND BUILDABLE BUT
DOES NOT HAVE REQ'D WIDTH & FRONTAGE SO CAN NOT BE BUILT
W/OUT REQUESTED VARIANCE. AS EXISTING DEVELOPED RESIDENTIAL LOTS
IN VICINITY ARE SMALLER THAN THIS LOT, DEVELOPMENT WILL
NOT HAVE DETRIMENTAL EFFECT ON NEIGHBORHOOD OR DISTRICT OR
THE ENVIRONMENT. THE LOT EXISTS THEREFOR VARIANCE REQUESTED
IS NOT SELF-CREATED. THE REQUESTED VARIANCES APPEAR
SUBSTANTIAL BUT ARE NOT AS REQUIRED WIDTH IS
PROVIDED AT THE PROPOSED BUILDING ENVELOPE AND
MOST LOT IN AREA DO NOT MEET CURRENT REQUIRED
FRONTAGE

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☒ One in the amount of \$ 300.00 or 500.00, (escrow)
- ☒ One in the amount of \$ 50.00 or 150.00, (application fee)
- ☒ One in the amount of \$ 25.00, (Public Hearing List Deposit)
- ☐ Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR(4) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

STATE OF NEW YORK)

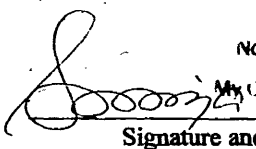
) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

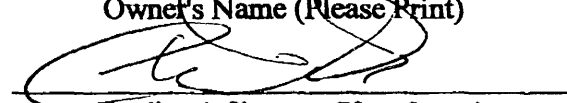
Sworn to before me this:

6 day of 25 2004.


SAROJA BHASHYAM
Reg. #01B4008826
Notary Public, State of New York
Qualified in Orange County
My Commission Expires Feb. 3, 2007
Signature and Stamp of Notary


Owner's Signature (Notarized)

Charles Valdez
Owner's Name (Please Print)


Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

APPLICANT/OWNER PROXY STATEMENT
(For professional representation)

for submittal to the:
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

Charles Valois, deposes and says that he resides
(OWNER)
at 4 JERSEY CT New Windsor in the County of Orange
(OWNER'S ADDRESS)
and State of N.Y. and that he is the owner of property tax map
(Sec. 20 Block 2 Lot 3222)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in
the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

Charles T Brown 1 Gardnertown Rd Newburgh N.Y.
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 6/25/04

**

[Signature]
Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this:
6 day of 25 2004

Charles Valois
Applicant's Signature (If different than owner)

[Signature]
Representative's Signature

SAROJA BHASHYAM
Reg. #01BH008826
Notary Public, State of New York
Qualified in Orange County
My Commission Expires Feb. 3, 2007

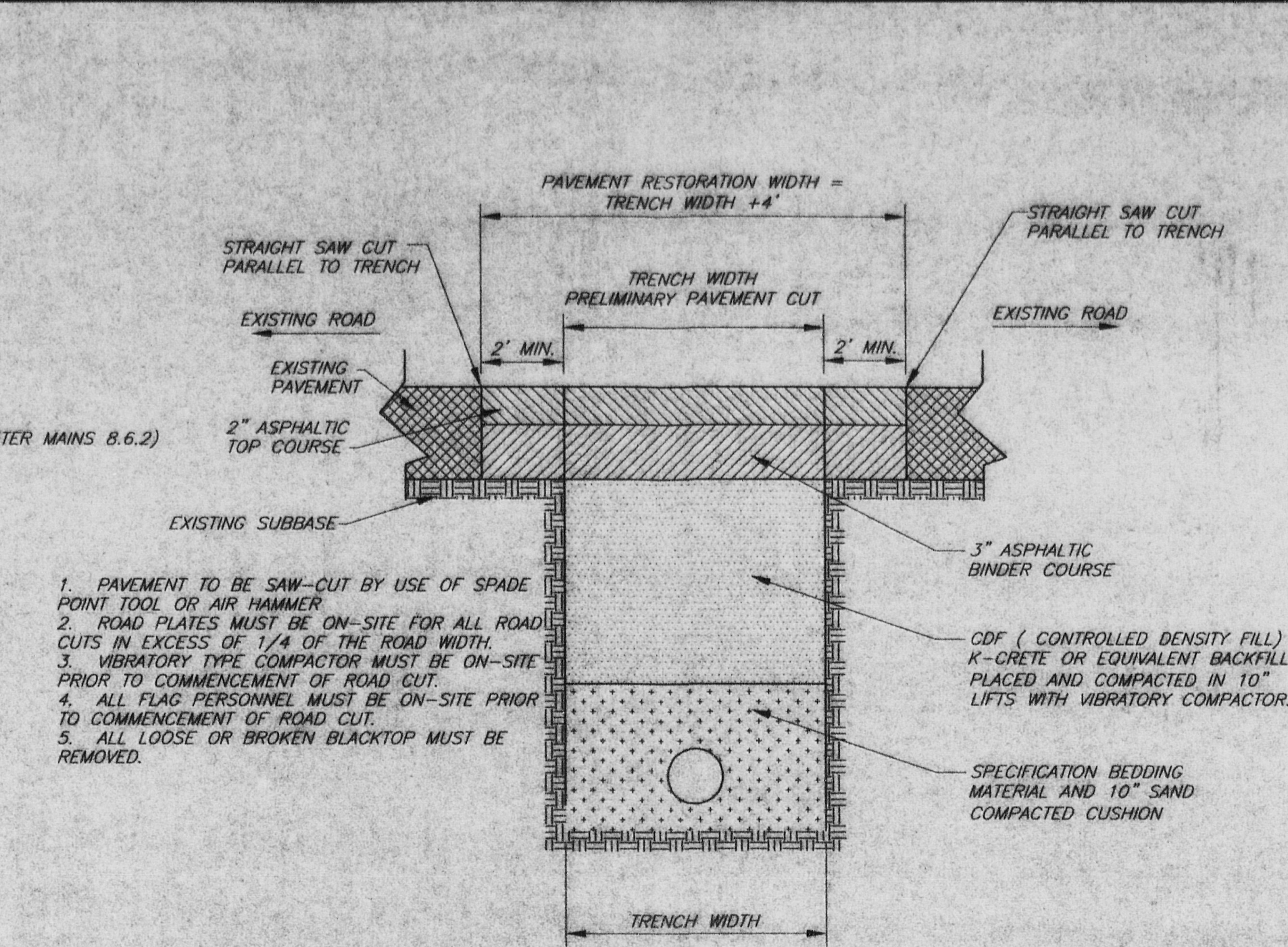
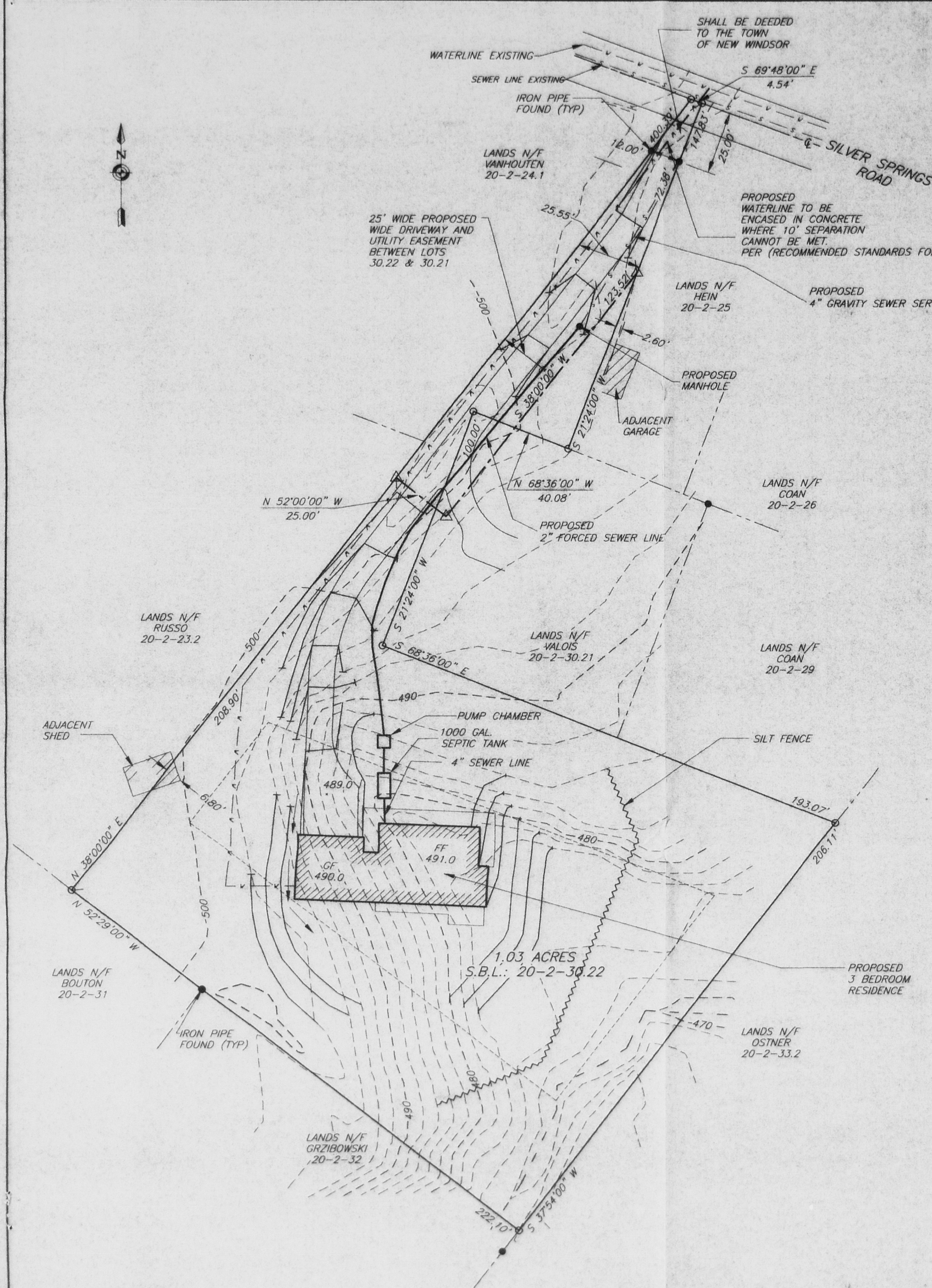
[Signature]

Signature and Stamp of Notary

THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.

**** PLEASE NOTE:**

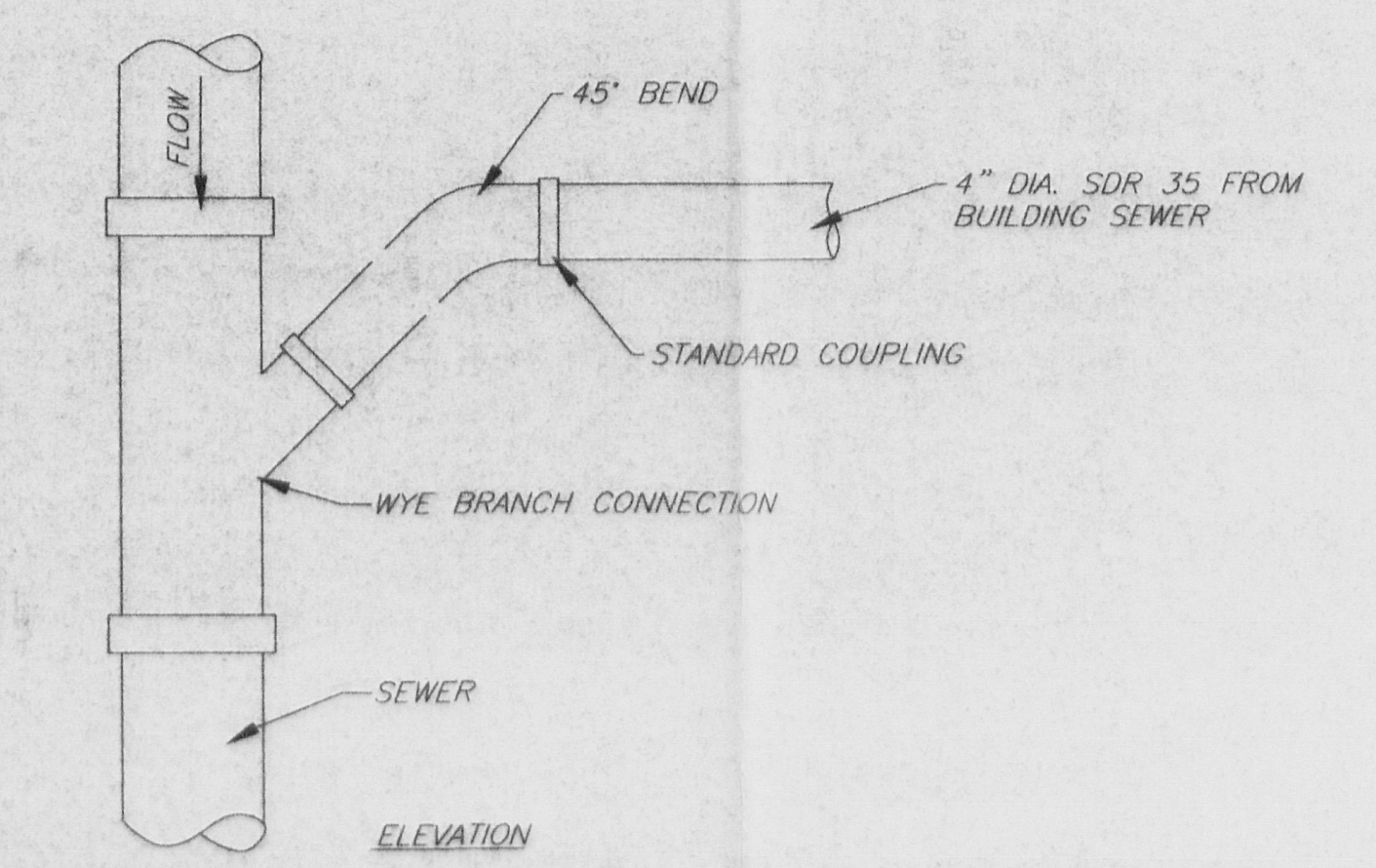
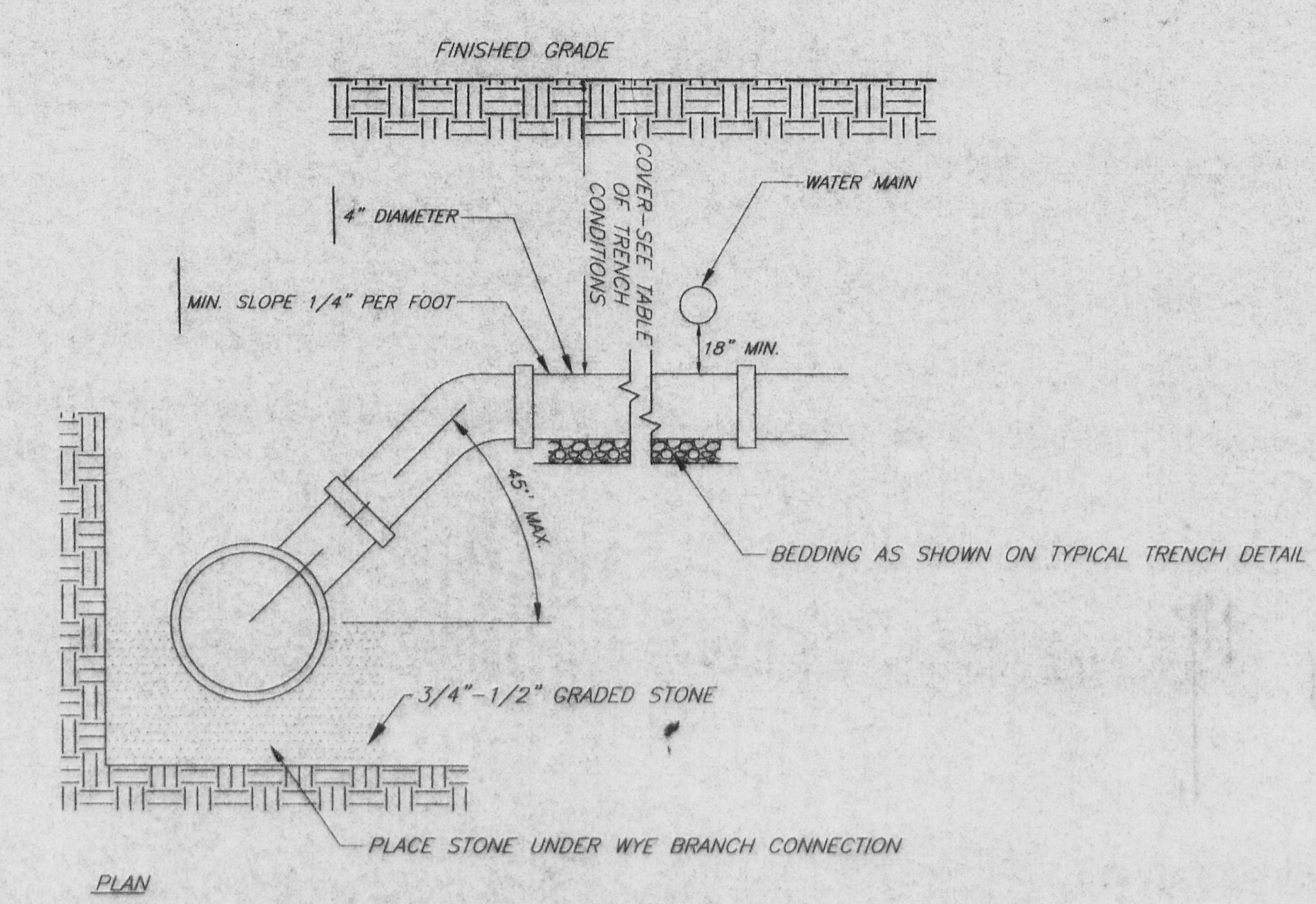
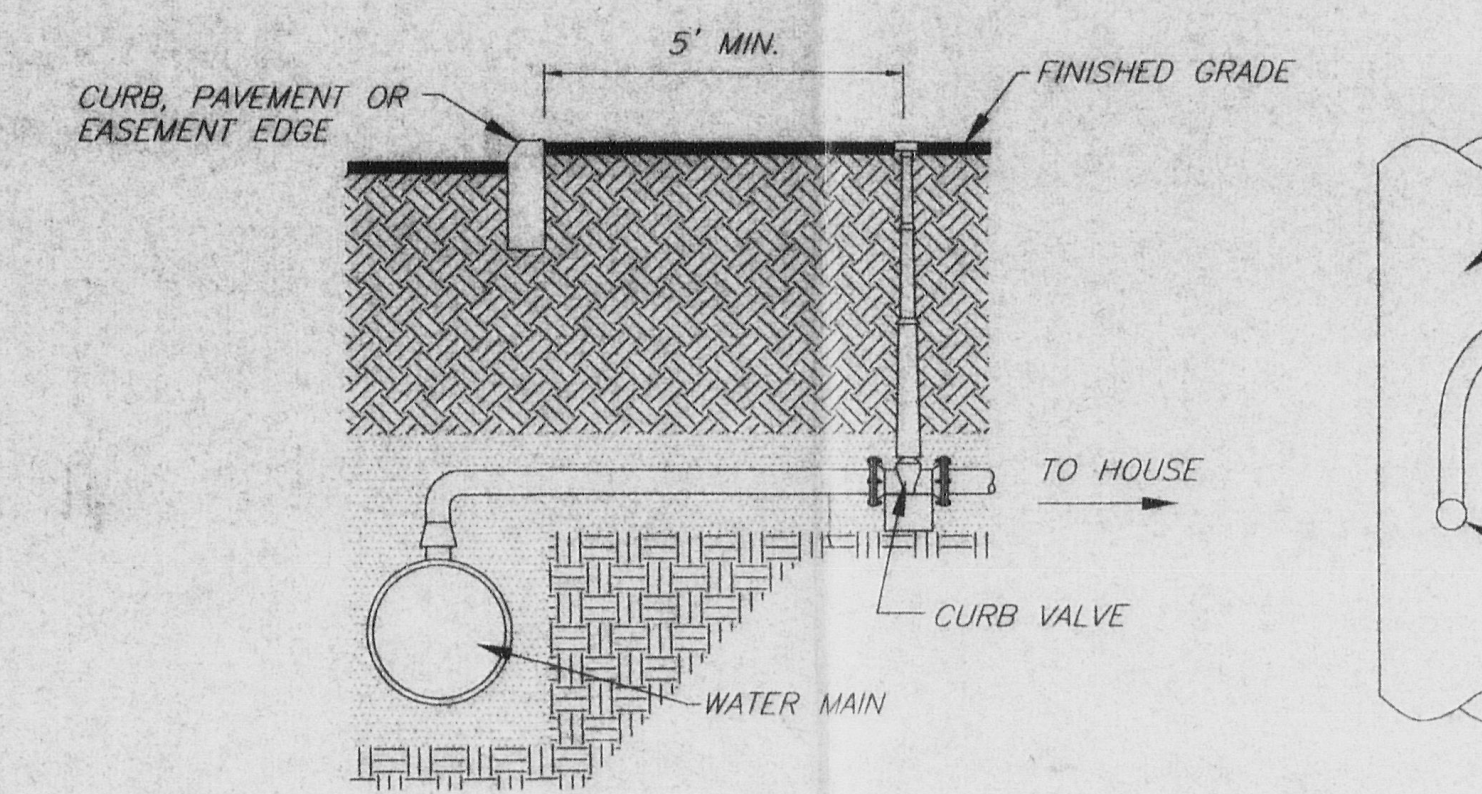
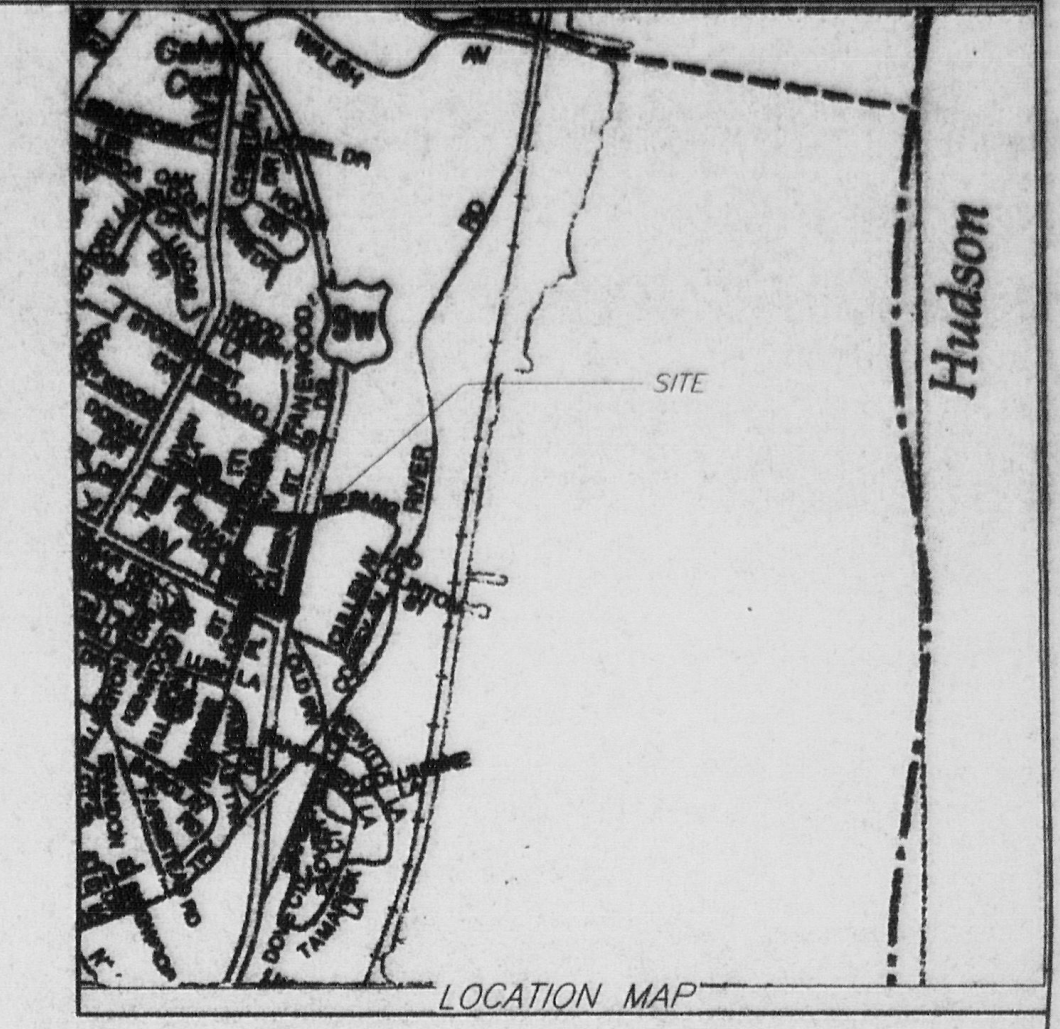
ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.



ZONING SCHEDULE
ZONE: R-4

	REQUIRED	PROVIDED
MINIMUM LOT AREA w/ PUBLIC WATER & SEWER	43,560 sf.	44,660 sf. (45,267 sf.)
FRONT	45'	46'
REAR	50'	51'
SIDE		
ONE	20'	57'
BOTH	40'	146'
MINIMUM LOT WIDTH (feet)	125'	*25.55'
MINIMUM LOT FRONTAGE (feet)	70'	*12'
MINIMUM LIVABLE AREA (square feet)	1,200 sf.	2629 sf.
MAXIMUM IMPERVIOUS COVERAGE (%)	20%	1.3%
MAXIMUM HEIGHT	35'	29'

* PRE-EXISTING NON CONFORMING (VARIANCE REQUIRED)



LEGEND

PROPERTY LINE EXISTING	—●—●—
PROPERTY LINE ADJOINING	---
PROPOSED EASEMENT	- - - - -
CONTOURS EXISTING	~~~~~
CONTOURS PROPOSED	~~~~~
SETBACK	~~~~~
SILT FENCE	~~~~~

CALL BEFORE YOU DIG... IT'S THE LAW

WHETHER YOU'RE LAYING A FOUNDATION FOR A BUILDING OR PLANTING A TREE, YOU MUST FIRST CHECK FOR THE EXISTENCE OF UNDERGROUND UTILITY LINES AND CABLES. IF YOU OR YOUR CONTRACTOR DISRUPT ANY OF THESE LINES, THE RESULTS CAN BE DANGEROUS AND COSTLY—TO EVERYONE. CALL BEFORE YOU DIG, TOLL FREE, 1.800.272-4480 (IN NEW YORK CITY AND LONG ISLAND) OR 1.800.928-7962 (IN ALL OTHER AREAS OF THE STATE.)

SEWER SYSTEM NOTES FOR SITE PLANS
ALL GRAVITY SANITARY SEWER SERVICE LINES SHALL BE 4 INCHES IN DIAMETER OR LARGER AND SHALL BE SDR-35 PVC PIPE CONFORMING TO ASTM D-3034-89. JOINTS SHALL BE PUSH-ON WITH ELASTOMERIC RING GASKET CONFORMING TO ASTM D-3212. FITTINGS SHALL BE AS MANUFACTURED BY THE PIPE SUPPLIER OR EQUAL AND SHALL HAVE A BELL AND SPIGOT CONFIGURATION COMPATIBLE WITH THE PIPE. ALL PIPE INSTALLATION SHALL BE SUBJECT TO INSPECTION BY THE TOWN OF NEW WINDSOR SEWER DEPARTMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL INSPECTIONS AS REQUIRED WITH THE TOWN OF NEW WINDSOR SEWER DEPARTMENT.

SEWER SERVICE CONNECTION
CONSTRUCTION OF SANITARY SEWER UTILITIES AND CONNECTION TO THE TOWN OF NEW WINDSOR SANITARY SEWER SYSTEM REQUIRES A PERMIT FROM THE TOWN OF NEW WINDSOR SEWER DEPARTMENT. ALL CONSTRUCTION SHALL CONFORM TO THE REQUIREMENTS OF THE ORANGE COUNTY D.P.W. AND THE TOWN OF NEW WINDSOR.

MAP REFERENCE
1. LOT LINES PER SURVEY COMPLETED ON 10/05/03 BY HOWARD W. WEEDEN, PLS
2. TOPOGRAPHY PER TACONIC DESIGN SURVEY

REVISIONS

REV.	DATE	BY	DESCRIPTION
1	6/26/04	CNK	PER TOWN BUILDING DEPARTMENT

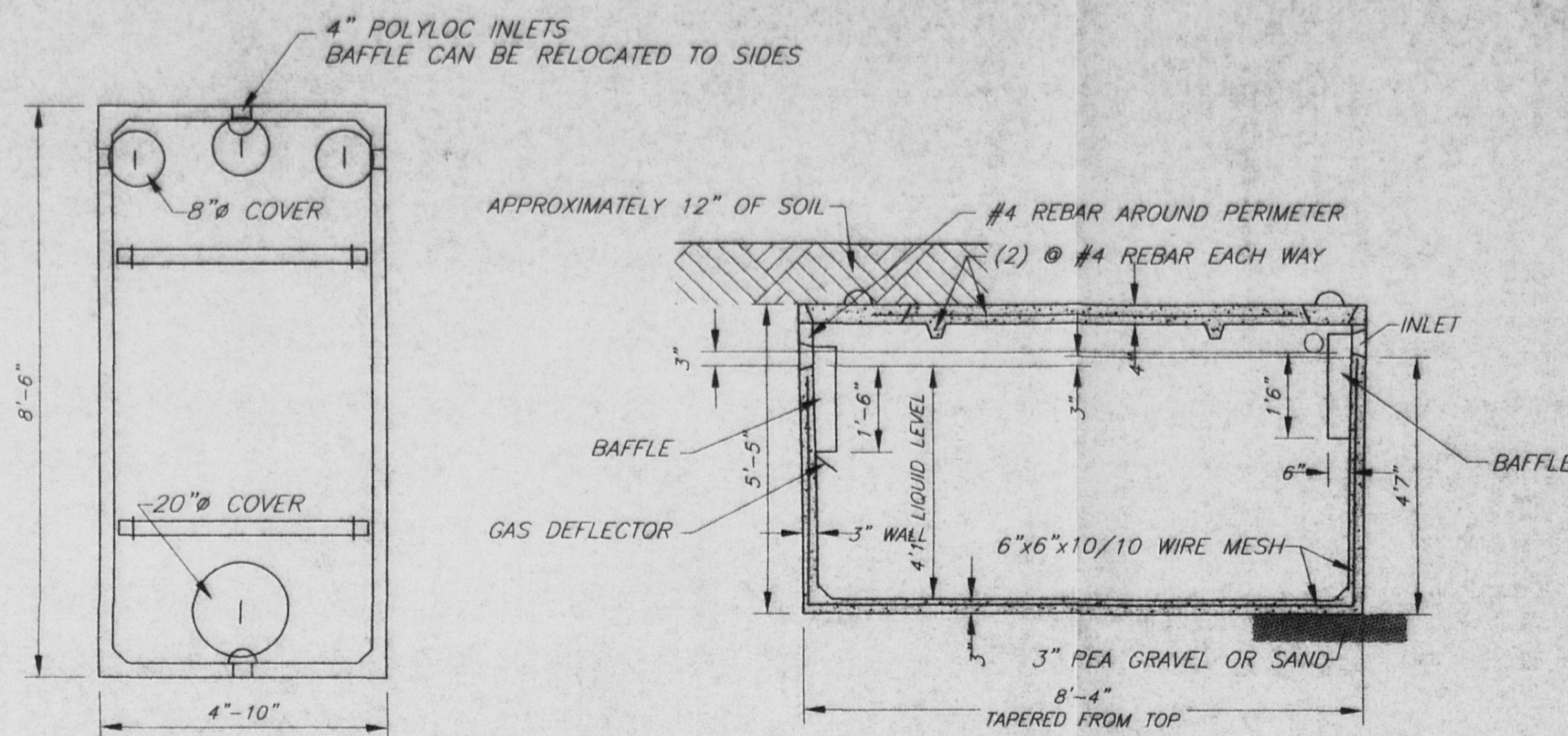
SHEET IS INCOMPLETE AND VOID IF NOT ACCOMPANIED BY ALL SHEETS

TACONIC DESIGN CONSULTANTS
1 GARDINERTOWN ROAD
NEWBURGH, N.Y. 12550
(845)-569-8400
(FAX)(845)-569-4583

ENGINEER
CHARLES T. BROWN, P.E.
WILLIAM J. MOREAU, P.E.
1 GARDINERTOWN ROAD
NEWBURGH, N.Y. 12550
(845)-562-2561

PLOT PLAN FOR:
CHARLES VALOIS
S.B.L.:20-2-30.22, SILVER SPRINGS ROAD
TOWN OF NEW WINDSOR, ORANGE COUNTY, NY

DATE	SCALE	JOB NUMBER	SHEET NUMBER
3/17/04	1"=30'	03461-CVL	1 OF 2

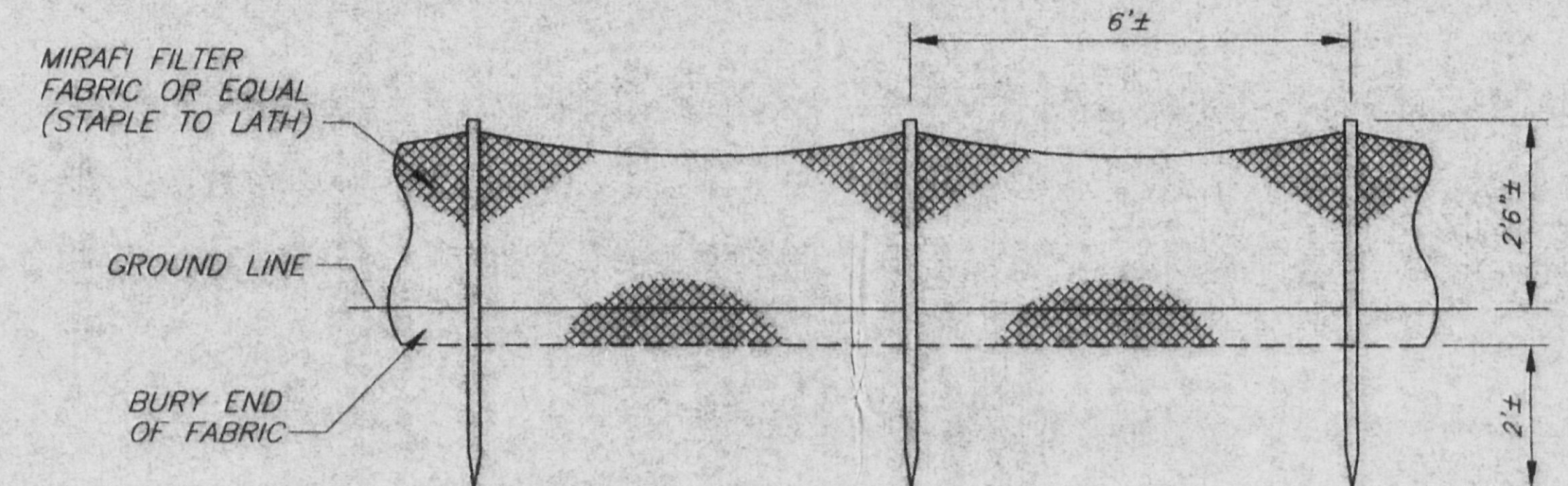
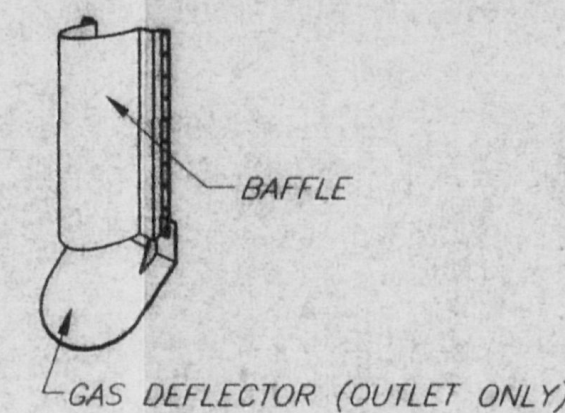


WOODARD'S 1000gal. SEPTIC TANK OR EQUAL

N.T.S.

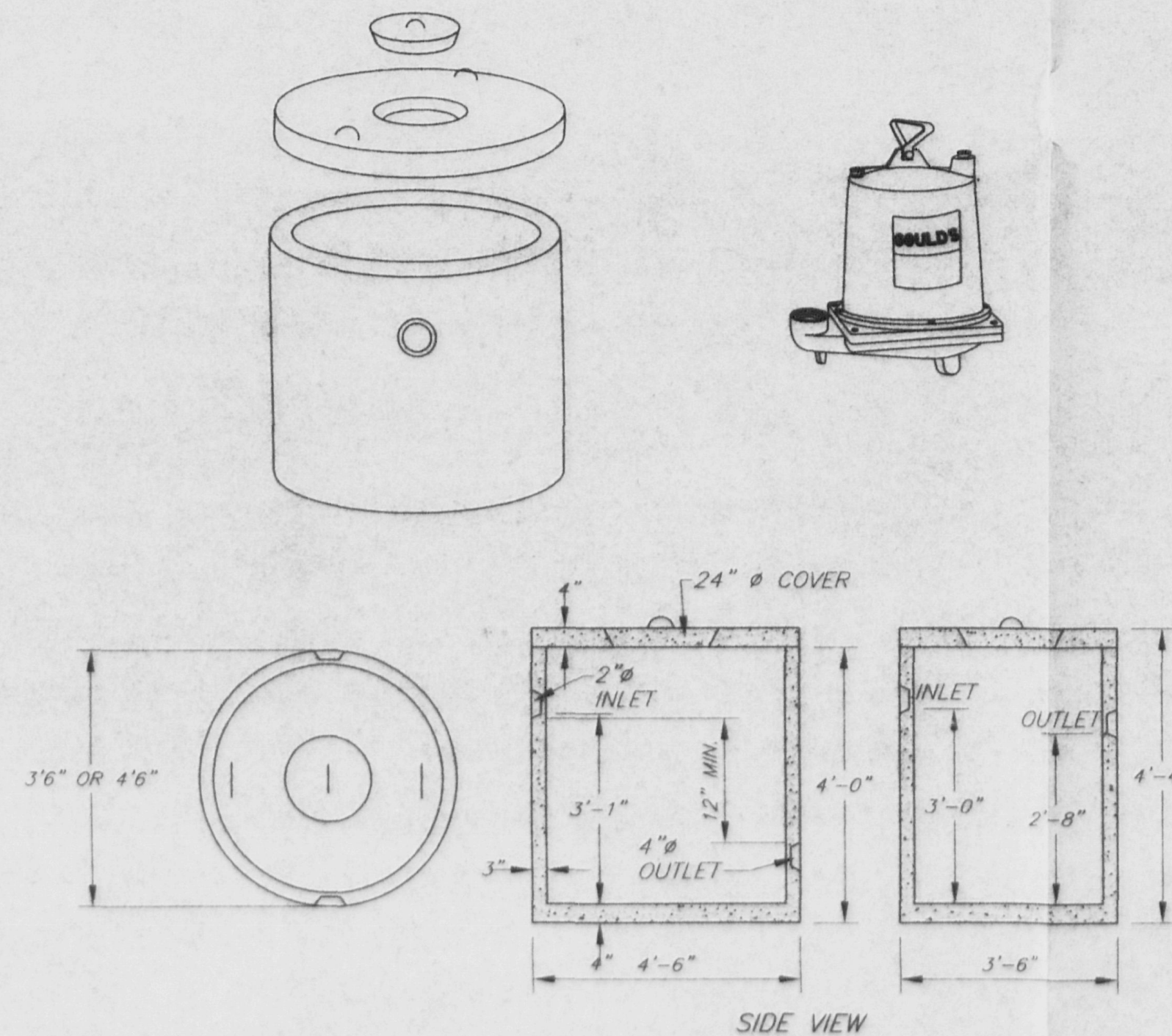
SPECIFICATIONS

CONCRETE MINIMUM STRENGTH- 4,000 PSI AT 28 DAYS
REINFORCEMENT- 6"x6"10GA. WWF, #4 REBAR
AIR ENTRAPMENT- 5%
CONSTRUCTION JOINT- BUTYL RUBBER - BASE CEMENT
PIPE CONNECTION- POLYLOC SEAL (PATENTED)
LOAD RATING- 300PSF WEIGHT = 8,700LBS



SILT FENCE DETAIL

N.T.S.



SIDE VIEW

WOODARD'S PRECAST PUMP CHAMBER OR EQUAL

N.T.S.

SPECIFICATIONS

CONCRETE MINIMUM STRENGTH- 4,000 PSI AT 28 DAYS
REINFORCEMENT- 6"x6"10GA. WIRE MESH, #3 REBAR
AIR ENTRAPMENT- 5%
VOLUME TO OUTLET- 3'=140gal., 4'=260gal.
PIPE CONNECTION: POLYLOC SEAL (PATENTED)
LOAD RATING- 300 PSF

CALL BEFORE YOU DIG... IT'S THE LAW

WHETHER YOU'RE LAYING A FOUNDATION FOR A BUILDING OR PLANTING A TREE, YOU MUST FIRST CHECK FOR THE EXISTENCE OF UNDERGROUND UTILITY LINES AND CABLES. IF YOU OR YOUR CONTRACTOR DISRUPT ANY OF THESE LINES, THE RESULTS CAN BE DANGEROUS - AND COSTLY - TO EVERYONE. CALL BEFORE YOU DIG. TOLL FREE, 1.800.272-4480 (IN NEW YORK CITY AND LONG ISLAND) OR 1.800.926-7962 (IN ALL OTHER AREAS OF THE STATE.)

STANDARD NOTES:

THE DESIGN, CONSTRUCTION AND INSTALLATION SHALL BE IN ACCORDANCE WITH THIS PLAN AND GENERALLY ACCEPTED STANDARDS IN EFFECT AT THE TIME OF CONSTRUCTION WHICH INCLUDE:

"APPENDIX 75-A, WASTE TREATMENT - INDIVIDUAL HOUSEHOLD SYSTEMS, NEW YORK STATE SANITARY CODE."
"WASTE TREATMENT HANDBOOK, INDIVIDUAL HOUSEHOLD SYSTEMS, NEW YORK STATE DEPARTMENT OF HEALTH."
"RURAL WATER SUPPLY, NEW YORK STATE DEPARTMENT OF HEALTH."
"PLANNING THE SUBDIVISION AS PART OF THE TOTAL ENVIRONMENT, NEW YORK STATE DEPARTMENT OF HEALTH."

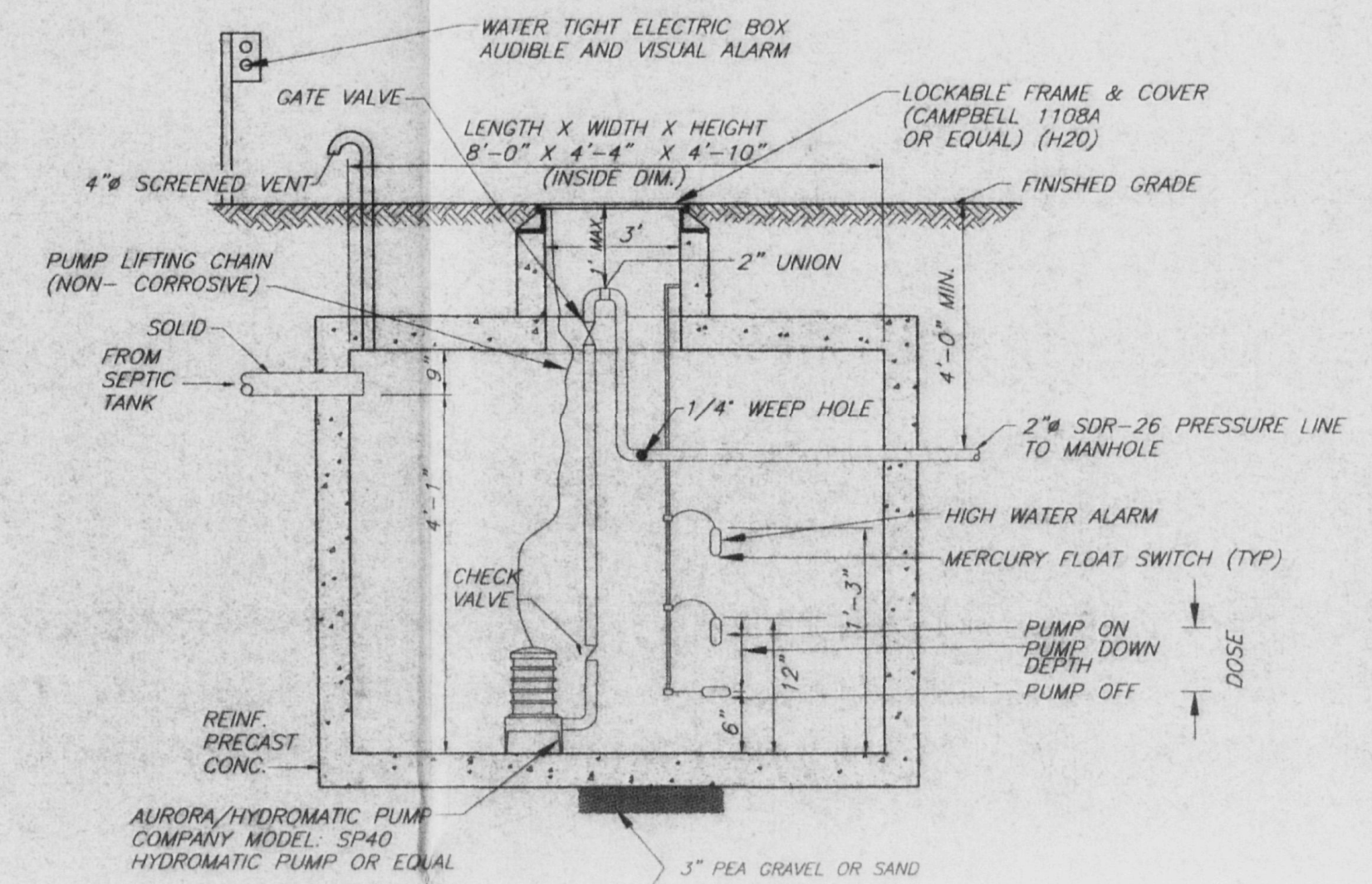
"THIS PLAN IS APPROVED AS MEETING THE APPROPRIATE AND APPLIED TECHNICAL STANDARDS, GUIDELINES, POLICIES AND PROCEDURES FOR ARRANGEMENT OF SEWAGE DISPOSAL AND TREATMENT AND WATER SUPPLY FACILITIES."

ALL WELLS AND S.D.S. EXISTING OR APPROVED WITHIN 200' OF THE PROPOSED WELLS AND S.D.S. ARE SHOWN ON THIS PLAN ALONG WITH ANY OTHER ENVIRONMENTAL HAZARDS IN THE AREA THAT MAY AFFECT THE DESIGN AND FUNCTIONAL ABILITY OF THE S.D.S. AND WELL. IT SHALL BE DEMONSTRATED BY THE CONTRACTOR TO THE CERTIFYING ENGINEER THAT THE SEPTIC TANK IS SEALED, WATER TIGHT AND ACCEPTABLE FOR USE. THIS SHALL REQUIRE, AS A MINIMUM, THE FILLING OF THE TANK WITH WATER TO OBSERVE IF IT IS IN FACT SEALED, WATERTIGHT AND ACCEPTABLE FOR USE. ALL PROPOSED WELLS AND SERVICE LINES ON THIS PLAN ARE ACCESSIBLE FOR INSTALLATION AND PLACEMENT.

INDIVIDUAL WELLS AND SEWAGE DISPOSAL SYSTEMS SHALL NO LONGER BE CONSTRUCTED OR USED FOR HOUSEHOLD PURPOSES WHEN PUBLIC FACILITIES BECOME AVAILABLE. CONNECTION TO THE PUBLIC SEWER SYSTEM IS REQUIRED WITHIN 1 YEAR OF AVAILABILITY.

COUNTY STANDARD NOTE:

NO SITE PREPARATION OR CONSTRUCTION, INCLUDING UTILITY CONNECTIONS, SHALL COMMENCE UNTIL A VALID PERMIT HAS BEEN SECURED FROM THE ORANGE COUNTY DEPARTMENT OF PUBLIC WORKS UNDER SECTION 136 OF THE HIGHWAY LAW.



PUMP CHAMBER DETAIL (RESERVE AREA ONLY)

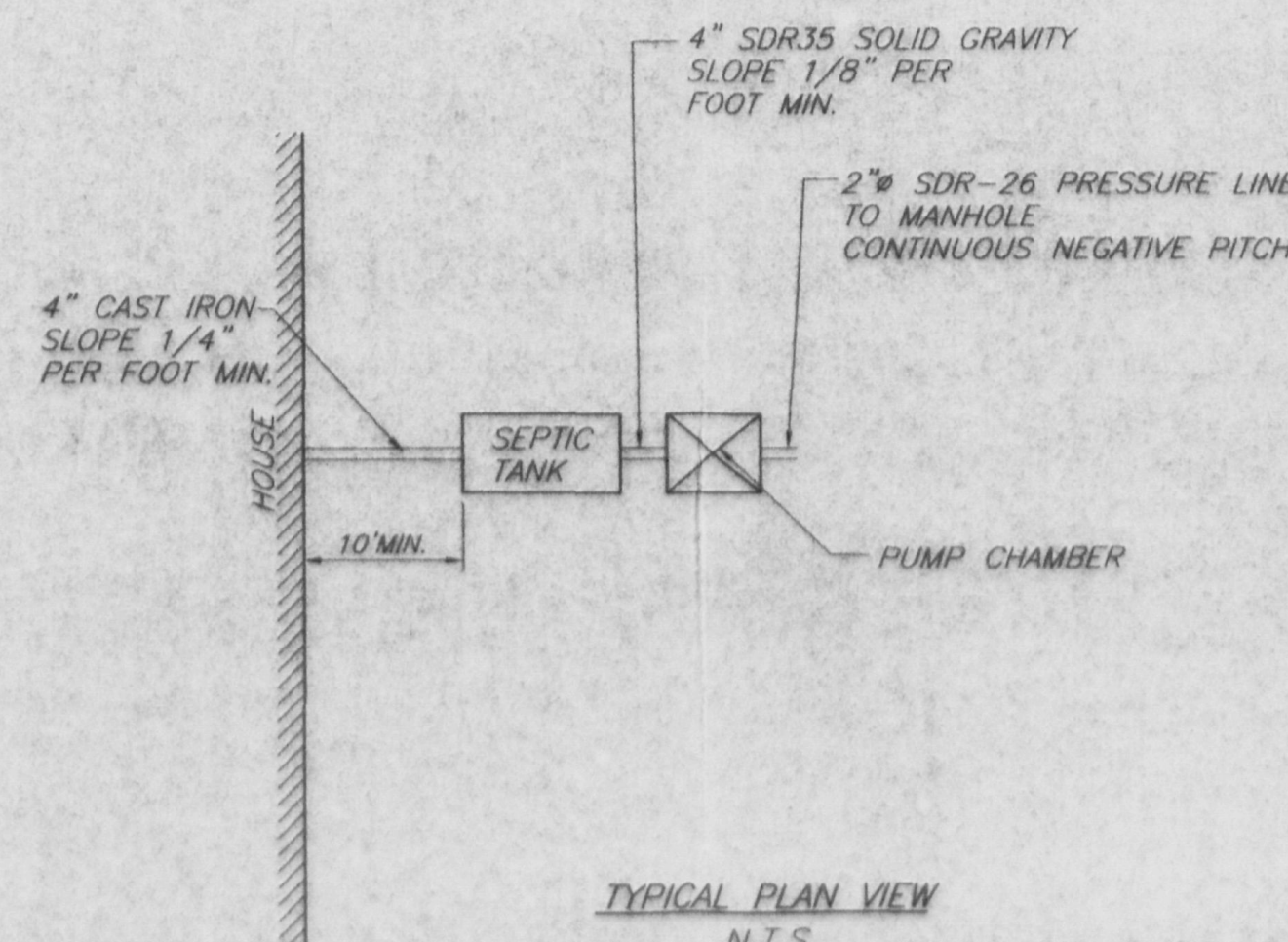
N.T.S.

PUMP CHAMBER DATA

PUMP DOWN DEPTH: 6"
STORAGE CALC.: 21.61 GALS/IN
STORAGE DEPTH: 2'-10"=735 GAL

PUMP CHAMBER NOTES:

1. CONTRACTOR SHALL DETERMINE LENGTHS OF REQUIRED ELECTRICAL CABLE AND AVAILABLE VOLTAGE PRIOR TO ORDERING EQUIPMENT.
2. ALL WIRING SHALL CONFORM TO NATIONAL ELECTRICAL CODE & LOCAL CODE REQUIREMENTS.
3. THE POWER AND CONTROL WIRING SHALL BE MADE DIRECTLY TO THE CONTROL PANEL WITHOUT AND OUTSIDE SPLICES. CONTROL PANEL TO BE LOCATED INSIDE BASEMENT OF HOUSE. AUDIBLE ALARMS AND FLASHING LIGHT.
4. A N.Y.S. PROFESSIONAL ENGINEER MUST CERTIFY TO THE CONSTRUCTION OF THE SYSTEM.
5. QUANTITY STORED IS BASED UPON (1) DAY FLOW MINIMUM (ABOVE THE HIGH WATER ALARM).
6. AS-BUILT MUST SHOW FORCE MAIN LOCATION.



TYPICAL PLAN VIEW

N.T.S.

SHEET IS INCOMPLETE AND VOID IF NOT ACCOMPANIED BY ALL SHEETS

TACONIC DESIGN CONSULTANTS

1 GARDINERTOWN ROAD
NEWBURGH, N.Y. 12550
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ENGINEER

CHARLES T. BROWN, P.E.
WILLIAM J. MOREAU, P.E.

1 GARDINERTOWN ROAD
NEWBURGH, N.Y. 12550
(845)-562-2961



PLOT PLAN FOR: CHARLES VALOIS

S.B.L.:20-2-30.22, SILVER SPRINGS ROAD
TOWN OF NEW WINDSOR, ORANGE COUNTY, NY

DATE: 3/17/04 SCALE: AS NOTED JOB NUMBER: 03461-CVL SHEET NUMBER: 2 OF 2

REVISIONS

REV.	DATE	BY	DESCRIPTION
1	8/26/04	CNK	PER TOWN BUILDING DEPARTMENT